

Also, petition of Jesse Setter and others, of Denver, Colo., favoring the building of a battleship in the New York Navy Yard; to the Committee on Naval Affairs.

Also, petition of J. W. Sanford and others, of Denver, Colo., favoring the enactment of an old-age pension law; to the Committee on Pensions.

By Mr. STEVENS of Minnesota: Petition of the Brotherhood of Locomotive Engineers, Harrisburg, Pa., favoring passage of House bill 22527, for restriction of immigration, etc.; to the Committee on Immigration and Naturalization.

Also, petition of citizens of St. Paul, Minn., favoring passage of bill for relief of natives of Alaska; to the Committee on the Territories.

SENATE.

MONDAY, June 3, 1912.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

Mr. BACON took the chair as President pro tempore under the previous order of the Senate.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Ophelia Alvey, daughter and sole heir of James T. Brothers, deceased, *v. United States* (S. Doc. No. 754);

John A. Bull *v. United States* (S. Doc. No. 753);

Charles L. Byam *v. United States* (S. Doc. No. 752);

Robert A. Cameron *v. United States* (S. Doc. No. 751);

John P. Campbell *v. United States* (S. Doc. No. 750);

Emma A. Campbell, widow of John W. Campbell, deceased, *v. United States* (S. Doc. No. 749);

L. S. Exum, Amanda C. Maners, Eliza Lancaster, Josephine Anderson, Ella Thompson, brother and sisters, and J. R. League, son of Minerva League, sister, sole heirs of James T. Exum, deceased, *v. United States* (S. Doc. No. 748);

Jane F. Hawkins, sister, Albert Hodge, nephew, and Binnie Hodge, niece, sole heirs of Michael T. Hall, deceased, *v. United States* (S. Doc. No. 747);

Thomas Heimback *v. United States* (S. Doc. No. 746);

Edgar A. Kimmel and Henry T. Kimmel, sons, and sole heirs of George Kimmel, deceased, *v. United States* (S. Doc. No. 745);

Martha H. Alburty, Adella J. Teed, and Frank E. Martin, children, and Margaret Burke, Mary Flynn, Charles Martin, Ethel Belle Davies, and Adella Phillips, grandchildren, sole heirs of Charles E. Martin, deceased, *v. United States* (S. Doc. No. 744);

Henry B. Mason *v. United States* (S. Doc. No. 743);

Robert E. Mason and Helen E. Bruce, children and sole heirs of Pardon Mason, deceased, *v. United States* (S. Doc. No. 742);

Robert T. Moore, son and sole heir of William Moore, deceased, *v. United States* (S. Doc. No. 741);

Charles H. Murch *v. United States* (S. Doc. No. 740);

Edward S. McCalmont, executor of John S. McCalmont, deceased, *v. United States* (S. Doc. No. 739);

Augustus A. McCollom *v. United States* (S. Doc. No. 738);

Thomas McConnell *v. United States* (S. Doc. No. 737);

Elizabeth J. Champion, widow of James P. W. McCurdy, deceased, *v. United States* (S. Doc. No. 736); and

John P. McDougal *v. United States* (S. Doc. No. 735).

The foregoing findings were, with accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 23557) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGHAM managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 23063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference

with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGHAM managers at the conference on the part of the House.

The message further announced that the House had passed a joint resolution (H. J. Res. 323) authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage to Members of the House of Representatives during the temporary disability of the said U. S. Jackson, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 405. An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands;

S. 3367. An act to amend section 2291 and section 2297 of the Revised Statutes of the United States relating to homesteads; and

H. R. 20111. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Rockford Frame & Fixture Co., of Illinois, remonstrating against the proposed reduction of the appropriation for the maintenance of the Bureau of Trade Relations, which was referred to the Committee on Appropriations.

Mr. GALLINGER presented a petition of members of the Woman's Auxiliary of Lancaster, N. H., praying for the enactment of legislation to provide medical and sanitary relief for the natives of Alaska, which was referred to the Committee on Territories.

He also presented petitions of sundry citizens of the District of Columbia, praying for the enactment of legislation to maintain the present water rates in the District; which were referred to the Committee on the District of Columbia.

Mr. JOHNSTON of Alabama. I present a petition signed by sundry officers, ministers of the Gospel, and many other prominent citizens, of Wadeville, Ala., in regard to the liquor traffic. I ask that the petition be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the petition was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

To the Senate of the United States:

The undersigned citizens of Tallapoosa County, in the State of Alabama, a county in which the legalized sale of intoxicating liquors has been prohibited by the vote of the qualified electors of the county under the laws of the State of Alabama, and believing that the citizens of each State should have the right to prohibit the sale of such liquors in the State or any subdivision thereof, without interference by the Federal Government, and that the Federal Government should not grant a license to any person to sell such liquors in any State or any county thereof in which the sale of same is prohibited by the laws of such State, and that no authority should be granted by the Federal Government to any person to ship or transport any such liquors from a State where the sale of same is permitted by law into a State, or any county thereof, where the sale of same is prohibited by the laws of the State.

We therefore most respectfully memorialize your honorable body in behalf of the Kenyon-Sheppard bill and pray its adoption.

Mr. RAYNER. I present a memorial signed by 7 citizens of Baltimore, Md., remonstrating against the passage of Senate bill 1, known as the Owen bill, or any similar medical legislation. I ask that the memorial, together with the signatures, lie on the table and be printed in the RECORD.

There being no objection, the memorial, together with the signatures, was ordered to lie on the table and to be printed in the RECORD, as follows:

To the Congress of the United States:

We, the undersigned citizens of the United States, do earnestly ask Congress not to pass Senate bill No. 1, known as the Owen bill, or any similar medical legislation.

L. S. Taylor, 103 North Monument Street, Baltimore, Md.; George R. Gaither, 602 Cathedral Street, Baltimore, Md.; Frank T. Harrison, Catonsville, Md.; C. T. Harrison, Woodlawn, Md.; C. T. Williams, Druid Apartments, Baltimore, Md.; C. E. Slee, 103 West Monument Street, Baltimore, Md.; E. Crump, 103 West Monument Street, Baltimore, Md.

Mr. CULLOM presented a petition of sundry members of the Ladies of the Maccabees of the World, residents of Chicago, Ill., praying for the enactment of legislation granting to the publications of fraternal associations the privileges of sec-

ond-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Merchants' Association of Manila, P. I., remonstrating against the enactment of legislation placing certain restrictions upon the sale of the so-called friar lands in the Philippine Islands, which was referred to the Committee on the Philippines.

Mr. NELSON presented resolutions adopted by the International Association of Master House Painters and Decorators of the United States and Canada, in convention at Rochester, N. Y., favoring Government supervision and control over labor unions, which were referred to the Committee on Education and Labor.

He also presented a memorial of Baron Hirsch Camp, No. 28, Woodmen of the World, of Minneapolis, Minn., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of sundry citizens of St. Paul, Minn., praying for the enactment of legislation to provide medical and sanitary relief for the natives of Alaska, which was referred to the Committee on Territories.

Mr. RICHARDSON presented a memorial of sundry citizens of Wilmington, Del., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. McLEAN presented a petition of sundry members of the Ladies of the Maccabees of the World, residents of Derby, Conn., praying for the enactment of legislation granting to the publications of fraternal associations the privileges of second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Michigan presented a memorial of the Board of Trade of Holland, Mich., and a memorial of the Chamber of Commerce of Lansing, Mich., remonstrating against any reduction of the duty on sugar, which were ordered to lie on the table.

He also presented a petition of members of the Real Estate Board, of Detroit, Mich., praying that an appropriation be made for the construction of a public highway from Washington, D. C., to Gettysburg, Pa., as a memorial to Abraham Lincoln, which was referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (H. R. 22195) to reduce the duties on wool and manufactures of wool, submitted an adverse report (No. 840) thereon, which was ordered to be printed.

Mr. SIMMONS, from the Committee on Finance, submitted the views of the minority on the bill (H. R. 22195) to reduce the duties on wool and manufactures of wool, which were ordered to be printed as part 2 of Report No. 840.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 6217) to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, reported it with amendments and submitted a report (No. 841) thereon.

SALARIES AND MILEAGE OF MEMBERS.

Mr. WARREN. Mr. President, I understand there is an emergency matter on the desk that has been received from the House of Representatives.

The PRESIDENT pro tempore. The Chair lays before the Senate House joint resolution 323.

Mr. WARREN. The Committee on Appropriations have examined the joint resolution, and I move that it be formally referred to the committee, which will favorably report it and ask for its passage.

The joint resolution (H. J. Res. 323) authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson was read twice by its title and referred to the Committee on Appropriations.

Mr. WARREN subsequently said: I report back from the Committee on Appropriations favorably, and without amendment, the joint resolution (H. J. Res. 323) authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson. I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. STONE. Mr. President, I should like to ask the chairman of the Committee on Appropriations if he can tell whether, if this joint resolution be passed, it would authorize the signature necessary to the payment of the salaries of subordinate officers of the House of Representatives?

Mr. WARREN. I understand the joint resolution simply empowers one of the assistants to do what the principal would do if he were well and able to do the work.

Mr. STONE. As I heard it read, it was simply to authorize the assistant to sign what the principal might have signed in the payment of the salaries and mileage of Members of the House of Representatives. Does the Senator from Wyoming know whether that signature is necessary for the payment of salaries of the subordinate officers?

Mr. WARREN. I do not. It is entirely a House matter, which came here for the relief of the House. It does not apply to any other department except the officers of the House. Therefore, I assumed that the House had investigated it and that the joint resolution was in proper shape.

Mr. STONE. I presume that is so.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 7028) for the relief of Fanny A. Crocker (with accompanying papers); to the Committee on Indian Depredations.

By Mr. FLETCHER:

A bill (S. 7029) for the relief of the heirs at law of Bartlett Baker and others; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 7030) to provide for a permanent supply of coal for the use of the United States Navy and other governmental purposes, to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes; to the Committee on Public Lands.

By Mr. MARTIN of Virginia:

A bill (S. 7031) for the relief of L. L. Scherer; to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 7032) granting an increase of pension to Patrick J. Whelan (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7033) for the relief of Henry States; to the Committee on Public Lands.

By Mr. REED:

A bill (S. 7034) for the relief of the estate of Jacob Keeney, deceased; and

A bill (S. 7035) for the relief of Charles Banzhaf and others; to the Committee on Claims.

A bill (S. 7036) granting an increase of pension to John F. Burton (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 7037) for the relief of John Green and others, of the State of Idaho; to the Committee on Claims.

By Mr. NELSON:

A bill (S. 7038) to promote the safety of ocean navigation; to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment proposing to appropriate \$1,750,000 toward the construction of eight submarine torpedo boats, etc., intended to be proposed by him to the naval appropriation bill (H. R. 24565), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate \$5,000 to enable the Commissioner of Fisheries to investigate the method of fishing known as beam or otter trawling, etc., intended to be proposed by him to the sundry civil appropriation bill (H. R. 25069), which was referred to the Committee on Fisheries and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. GALLINGER submitted two amendments intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly

known as the Bowman and the Tucker Acts, which were ordered to lie on the table and be printed.

ANTI-THIRD TERM LEAGUE.

Mr. GALLINGER. On the 16th of May last I presented a petition from ex-Senator Henry W. Blair, president of the Anti-Third Term League, which was printed in the Record at my request. I have a brief paper from ex-Senator Blair somewhat explanatory of that petition, and I make the same request—that it may be printed in the Record.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to was ordered to lie on the table and to be printed in the Record, as follows:

We have organized the National Anti-Third Term League because we believe the integrity of our form of government and the preservation of our free institutions are seriously threatened by the proposed candidacy of Mr. Roosevelt for a third term.

To be sure, he is the only person in the country who could possibly be such a candidate at the present time, for he is the only one who has had a second term. But our special opposition is not to him as a man or on account of the principles or want of principles which he may represent, but to the third term itself.

We protest against the indorsement of the third term, which is implied by the election of delegates pledged to vote for him as a candidate in the national convention.

We protest that his name ought not to be considered at all in that convention because he is the third term itself.

We do not believe the Republican Party in any State designs to disregard the unwritten law which prohibits either the "form or the substance" of the third term of the presidency to any man, just the same "form and substance" of a third term as that which Mr. Roosevelt renounced and denounced in the most solemn manner.

We propose to help him redeem that pledge.

This is just what we are and mean.

THE NATIONAL ANTI-THIRD TERM LEAGUE,
HENRY W. BLAIR, President.

Organized May 6, 1912.

Headquarters: Rooms 808-809 Colorado Building.

PLATFORM.

No third term, either "in form or substance," for any man as President of the United States.

INDORSERS.

On the 4th of March next I shall have served three and a half years, and these three and a half years constitute my first term.

The wise custom which limits the President to two terms regards the substance and not the form, and under no circumstances will I be a candidate for or accept another nomination.

THEODORE ROOSEVELT.

(After his election to the Presidency November, 1904.)

Three years afterwards he said he had not changed and should not change.

Roosevelt is not eligible and has no moral or legal right to be a candidate at all. He can not be President again, for he has had two terms. He has said so himself. There are millions of Republicans who will never vote for him as President again. It is against the unwritten law, which is the strongest of all laws. No candidate or faction or convention can, and the people never will, repeal it. Roosevelt is impossible. George Washington or Abraham Lincoln, if now running for President, would be defeated. I certainly for one would vote against both, and I am among the most conservative and hidebound of Republicans. I helped to organize the party, and have fought for it through thick and thin, both in war and in peace. A third term is revolution. It leads first to anarchy and then to monarchy and slavery—straight to the disfranchisement of both races and the practical reenslavement of the colored man.

It is the first step that costs. Revolutions never go backward.

The third term makes the United States first a Mexico and then a Russia.

But there will be no third term. Mark that.

THE CONSTITUTION OF THE UNITED STATES (S. DOC. NO. 755).

The PRESIDENT pro tempore. Is there further morning business?

Mr. CLARK of Wyoming. Before morning business is closed, I desire to ask unanimous consent for an order. I hold in my hand a document entitled "The Constitution of the United States of America." I ask that it be printed as a Senate document, and that a thousand additional copies be also ordered printed, and I further ask that the document, with the exception of the index, be printed in the Record.

The PRESIDENT pro tempore. The Senator from Wyoming asks that the Constitution of the United States be printed as a document, and also that it be printed in the Record excepting the index, and that a thousand additional copies be printed for the use of the Senate. Is there objection?

Mr. SMOOT. I should like to ask the Senator why he wants to have the Constitution printed as a public document.

Mr. CLARK of Wyoming. For the information and for the benefit of the public. Considerable interest is being evinced, I will say, throughout the United States to-day as to the present Constitution and proposed amendments. I think it would be a matter of public interest.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The order as agreed to was reduced to writing, as follows:

Ordered, That the Constitution of the United States of America be printed as a document, also that 1,000 additional copies be printed for the use of the Senate.

The Constitution of the United States is as follows:

THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish the Constitution for the United States of America.

ARTICLE I.

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

No person shall be a Representative who shall not have attained to the age of 25 years, and been 7 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

[Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.] The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct. The number of Representatives shall not exceed 1 for every 30,000, but each State shall have at least 1 Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose 3; Massachusetts, 8; Rhode Island and Providence Plantations, 1; Connecticut, 5; New York, 6; New Jersey, 4; Pennsylvania, 8; Delaware, 1; Maryland, 6; Virginia, 10; North Carolina, 5; South Carolina, 5; and Georgia, 3.

When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of 30 years and been 9 years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers and also a President pro tempore, in the absence of the Vice President or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the Members present.

Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law.

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SEC. 5. Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent Members in such manner and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, except such parts as may in their judgment require secrecy; and the yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a Member of either House during his continuance in office.

SEC. 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President

of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House, respectively. If any bill shall not be returned by the President within 10 days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect shall be approved by him, or being disapproved by him shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sec. 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Sec. 9. The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importation not exceeding \$10 for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign State.

Sec. 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President chosen for the same term, be elected as follows:

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an

office of trust or profit under the United States, shall be appointed an elector.

The Congress may determine the time of choosing the electors and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of 35 years and been 14 years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed or a President shall be elected.

The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect, and defend the Constitution of the United States."

Sec. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Sec. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sec. 4. The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1. The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

Sec. 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State the trial shall be at such place or places as the Congress may by law have directed.

Sec. 3. Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.

ARTICLE IV.

SECTION 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved and the effect thereof.

Sec. 2. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be

delivered up on claim of the party to whom such service or labor may be due.

SEC. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

SEC. 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature or of the executive (when the legislature can not be convened) against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution, but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present the 17th day of September in the year of our Lord 1787 and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GO. WASHINGTON.

Presid and deputy from Virginia.

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.

ARTICLE I.

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall in time of peace be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger, nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed \$20, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State or by citizens or subjects of any foreign state.

ARTICLE XII.

The electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify and transmit, sealed, to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a Member or Members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 4th day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any persons of life, liberty, or property without due process of law nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a Member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 23063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference

with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY conferees on the part of the Senate.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 23557) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY conferees on the part of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 323) authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson, and it was thereupon signed by the President pro tempore.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. WARREN. Agreeably to the notice heretofore given, I move that the Senate proceed to the consideration of the bill (H. R. 24023) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to.

ANNIE R. SCHLEY.

Mr. RAYNER. I ask the Senator from Wyoming whether he will yield to me. I should like to call up the bill (S. 4568) granting an increase of pension to Annie R. Schley, the widow of the late Rear Admiral Schley. I wish to make a few remarks in reference to the career of Rear Admiral Schley.

Mr. WARREN. I assume that this particular case is rather an emergency.

Mr. RAYNER. It is an emergency.

Mr. WARREN. I will yield if there is no objection.

Mr. SMOOT. Before the Senator yields I should like to call attention to the fact that the chairman of the Committee on Pensions is not present in the Chamber, and I believe he desires to be present when that bill is considered.

Mr. RAYNER. I hope the chairman of the committee will not offer much opposition. He can be sent for. The bill has practically been here for about six months. I have been trying for about six months to make some headway with it, and I should like very much, for the reasons I will state, to have it acted on by the Senate.

Mr. WARREN. Unless there is objection from other quarters, I shall not object.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cullom	McCumber	Simmons
Bacon	Curtis	McLean	Smith, Ariz.
Borah	Dillingham	Martin, Va.	Smith, Ga.
Bourne	Fletcher	Martine, N. J.	Smith, S. C.
Bradley	Foster	Myers	Smoot
Brandeggee	Gallinger	Nelson	Sutherland
Bristow	Gardner	Oliver	Thornton
Brown	Heyburn	Overman	Tillman
Bryan	Hitchcock	Page	Townsend
Burnham	Johnson, Me.	Perkins	Warren
Catron	Johnston, Ala.	Rayner	Watson
Chamberlain	Jones	Richardson	Wetmore
Clapp	Lea	Root	Williams
Clark, Wyo.	Lodge	Shively	Works

Mr. JONES. My colleague [Mr. POINDEXTER] is unavoidably detained by public business.

The PRESIDENT pro tempore. Fifty-six Senators have answered to the roll call. A quorum of the Senate is present.

Mr. RAYNER. Mr. President, the bill that I call up is the bill (S. 4568) granting an increase of pension to Annie R. Schley.

Mr. McCUMBER. Does the Senator wish to call it up simply for the purpose of an address, or for the purpose of asking unanimous consent that it be considered and passed on at this time?

Mr. RAYNER. To ask unanimous consent that it be considered and passed and for the purpose of addressing the Senate.

Mr. McCUMBER. I will not object when the Senator makes that statement.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent that the Senate proceed to the consideration of the bill (S. 4568) granting an increase of pension to Annie R. Schley. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 8, before the word "fifty," to strike out the words "one hundred and," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie R. Schley, widow of Winfield S. Schley, late rear admiral, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

Mr. RAYNER. Mr. President, the bill is entitled "A bill granting an increase of pension to Annie R. Schley," and it provides:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie R. Schley, widow of Winfield S. Schley, late rear admiral, United States Navy, and pay her a pension at the rate of \$150 per month in lieu of that she is now receiving.

The committee reported \$50 a month, and my motion to amend will be to increase the pension to \$150 a month, as in the bill I originally introduced.

Mr. President, in offering this amendment to the bill of the Pension Committee, asking \$150 a month for the widow of Admiral Schley instead of \$50 a month as allowed by the committee, I desire to say that I have no comment whatever to make upon the action of the committee. With the committee it is a matter largely of precedent and of rules and regulations. With us in the Senate I apprehend it will be a matter of patriotism and impartial justice. It is really a pittance that I am asking for the widow of Admiral Schley in her comfortless and declining years. I do not regard it exactly in the light of a pension, because it is beyond that, a recognition of the memorable services that this gallant officer performed for his country at so many stations and places that it would be almost impossible to enumerate them in the brief presentation that I am making to the Senate. One thing is sure, and that is that if this amendment is adopted it will meet from one end of the Union to the other with the commendation of our countrymen.

Admiral Schley was esteemed during his life by all who knew him personally and admired by hundreds of thousands who did not know him personally, and now in death there is not even in bated breath a whisper of enmity upon the part of those who were hostile to him during his life.

Mr. President, we pay nearly \$200,000,000 a year in pensions. Is there a patriot in the land, or in any section of it, who will criticize an allotment to his surviving widow of \$150 a month? As the report shows, she is in dire need of it, and if she did not need it I would not be here asking for it on her behalf at the hands of an American Congress. She is without the means to erect a suitable memorial upon his grave. Just think of it. Would any other country on this earth deny her at least this tribute to his memory? He deserves more than a shaft of marble and an epitaph to commemorate him. He deserves in this Capital of the Nation a testimonial that shall speak to all the ages of his illustrious deeds. And even such a memorial will perish and decay before his memory shall depart from the thoughts and remembrance of posterity.

I do not intend to exaggerate the achievements of his career. He was criticized when he was alive, but of all the heartless vocations in the world that of the critic is the most unenviable. A critic is generally a person who has no reputation of his own, but who expects to rise in public estimation upon the ruins of those whom he attempts to detract and humiliate. As a rule, contemporary historians are not fair judges of the events that are transpiring around them. History has hardly ever been cor-

rectly written by any man who was the living witness of its events, because, generally, political prejudice and personal enmities enter into the narrative and the recital. The career of Admiral Schley seems to be an exception to this rule, because never in my life have I known a man so universally idolized by the Nation whom he served. He had but one idea in his mind, and every other plan and purpose of his life seemed to be subordinate to that, and that idea was his country. When he entered its service he took a vow upon its altars that he would devote and dedicate his life to its cause, and I challenge the bitterest enemy that he ever had to point to a single and isolated instance where he ever wavered or faltered when duty summoned him to the front. He never possessed the element of fear, he never knew what fear was, and I am satisfied that in his own mind the greatest ambition that he could have achieved would have been at any moment to have given up his life in defense of the Union that he helped to cement and whose colors he proudly carried in every clime, from the Arctic to the Torrid Zone.

Is the widow of such a hero to pass her years in desolation and in sorrow without the ordinary necessities of life? If so, then the history of civilization presents no parallel to a case like this, and the heart of the Nation would no longer thrill with the patriotic recognition of patriotic deeds.

I will not refer to history in support of the assertion that in the earliest days even heathen nations accorded to their heroes and to their surviving families the recognition to which they were entitled. I will take a modern instance in referring to the fact that when in the war Great Britain waged in Africa Khartum was captured by a British general, the same year in which Schley destroyed the Spanish fleet at Santiago, all the honors were heaped upon her commander that a government could bestow. There was conferred upon him a great title at the hands of the Crown; he was voted the gratitude of both houses of Parliament; an enormous fund was subscribed to found a university in the capital that he captured; he was made governor general of the territory in which his services were rendered, and was granted a pension equal to \$150,000 in American money.

This Republic, I know, will not be ungrateful. I will not rehearse at this moment a detailed description of his achievements in almost every quarter of the globe to which he had been sent. He has written his own biography in modest and accurate terms, and his biography has been written by others, and they will be read in the years to come by the rising generation, and will furnish an incentive to them to follow his deeds and emulate his example.

At Santiago he was surrounded by a band of heroic captains whose names will illustrate the annals of American history. Some are living, some are dead. Wainwright is living, this valorous and intrepid man who performed a feat upon that day unsurpassed for daring skill by any that John Paul Jones ever performed upon the waters of the deep. Clark is living, who ran his ship, as if upon the wings of lightning, from sea to sea just in time that his soul could breathe the fire of battle amid the carnage of that day. Evans is gone. All honor to his imperishable name. He was separated from Schley in life; they are united in death. Chadwick, the commander of Sampson's ship, is living and has attested in the strongest way to the efficient maneuver that Cook, the great commander of the *Brooklyn*, ordered at a critical moment of the conflict. Sampson is dead, and I would have been here this day asking for a pension on behalf of his widow if she had not acquainted me with the fact that her situation was such that she did not need the aid of Congress.

All honor to the living and to the dead, and shame to the carping censors who would intrude themselves upon this scene of reunited glory.

I do not intend to enter upon a description of the conduct of Schley at Santiago, but it seems to me that this is the proper occasion, and I propose to avail myself of it, to show that the famous order for what is known as the "loop" of the *Brooklyn* that Schley gave upon the spur of the moment and in the heat of battle decided the conflict and saved the day for the American arms. After years of silence upon the subject by all who witnessed the event, Admiral Chadwick, the captain of Admiral Sampson's flagship, has proclaimed this fact to the world, but in deference to the memory of Schley I desire it once and forever to go down in unambiguous terms and indelible letters upon the records of an American Congress. We demonstrated it at the trial, and now comes the sustaining approval of Chadwick, which places it beyond the realm of doubt and uncertainty. I say that Schley gave the order. This is not entirely accurate. Cook, the captain of Schley's flagship, gave it, but Schley approved it, and with the generous heart that he had he

was willing to assume all responsibility for it, even if it had been a mistake or an error, but it was neither, and it was a triumph of naval and nautical skill that was never understood by portfolio chiefs, but the scope of which was entirely grasped by Admiral Dewey when he declined to concur in the opinion of the remaining admirals who sat with him upon the tribunal that decided the case. I have not one word of comment to make upon their action, but, Senators, listen to the narrative for a moment. I would like anyone who ever takes the trouble to read a word of anything that I have ever said upon this floor to reflect upon the statement that I now make and to which I challenge contradiction.

Admiral Sampson before he left for Siboney gave the order to his fleet to close in upon the Spanish ships in the event that they made an effort to come out of the harbor of Santiago. Sampson with all his great skill and experience as a naval commander could not possibly have foreseen what the Spanish plan of battle would be. The *Brooklyn*, Schley's flagship, was steering a course diametrically opposite to that steered by the Spanish fleet, and in their attempt to escape the Spanish squadron had practically broken through and passed the battle-line, creating an emergency that no one could have foreseen and which had to be met immediately. The commander of the *Maria Teresa*, the leading ship of the Spanish fleet, intended to ram the *Brooklyn*, in accordance with the Spanish plan of battle. Not only this, but, owing to this new situation, there was danger of a collision among the American ships, and Cook immediately sent word to Schley that "We will soon be in the cross fire of our own fleet." It was then that Cook gave the order "hard aport" and the *Brooklyn* swung rapidly around to the west a little more than half her tactical diameter, and Sears, the flag lieutenant of the *Brooklyn*, was ordered by Admiral Schley to hoist the signal, "Follow the flag." Then, with Clark of the *Oregon* upon the *Brooklyn's* quarter, the most terrific fighting of the day began. In a short time smoke was seen issuing from the ports and hatches of the *Maria Teresa*, the leading Spanish ship. The smoke upon the *Brooklyn* had blinded the crew so that they could not see what was going on. "Keep the boys informed" said Schley to Cook, and every few minutes of the action word was sent by Cook to cheer them on, and the ringing cheers came back until the *Maria Teresa*, leaping from fire into flame, burning from fore to aft, turned into the beach 6 miles west of the Santiago Harbor. Then the *Brooklyn*, receiving more shells than and inflicting as much injury as the whole of the American fleet combined, went westward on her course in pursuit of the remaining Spanish ships until fire was seen issuing from the *Oquendo*, the second vessel of the Spanish fleet, and with the *Oregon* and *Brooklyn* in pursuit she was beached within a half mile of where the *Maria Teresa* gave up the fight.

Then came the *Viscaya*, and in her flight and in her despair, and in the last straits that she was in, she made a desperate turn toward the *Brooklyn* and the *Oregon* that were pursuing her, but as she did this she was struck by a shell from one of the vessels and, hauling her colors down, she was beached at Acerraderos, 16 miles distant from where the battle began. Then it was that Ellis, struck by a shell, fell upon the *Brooklyn* at the side of Schley, and then it was that as his headless body was about to be cast overboard Schley gave the order, "Bring the body back and we will give it Christian burial." The *Colon*, the last of the ships, was then making toward the Torquino River. Schley signaled the *Oregon*, under the command of Clark, to try his 13-inch guns upon her, and with the combined fire of the *Brooklyn* and the *Oregon* upon the ship, and with no possible chance of escape, and with her human cargo doomed to certain death if the fighting continued, her commander ran his ship ashore at the mouth of the Torquino River, fired his leeward gun, lowered his flag, and the colors of Spain went down before the colors of the Union upon the Western Continent.

"This entire plan of battle was all a mistake," said Schley's enemies, "and he ought to have conducted a different line of battle." Now, let me read you Dewey's verdict. These are his words:

Commodore Schley was the senior officer of the squadron off Santiago when the Spanish squadron attempted to escape on the morning of July 3, 1898. He was in absolute command and is entitled to the credit due to such commanding officer for the glorious victory which resulted in the total destruction of the Spanish ships.

I will venture the prediction that you could go to-day to any section or quarter of this Union, from its eastern to its western coast, and assemble promiscuously any convention of patriots that you could collect and this verdict of Admiral Dewey's would be affirmed and ratified and applauded by the reechoing acclamation of his countrymen.

There is another charge that Schley had to meet that I desire briefly to refer to, and that was that in the conduct of the

fleet along the Cuban coast he had disobeyed orders of the Navy Department. This was not the first time that Schley in his military career had found it necessary to disobey the orders of his superior officers. During the Civil War, at the siege of Port Hudson, when he was in charge of the *Monongahela*, the signal was raised upon Farragut's vessel to retreat. The quartermaster reported to Schley that it was impossible for him to see the signals. The order had been previously given to storm the battery. This was the signal that Schley saw, and instead of retreating he leveled his guns against the fortifications. He was reprimanded by Farragut, but afterwards the admiral called him into his private cabin and said to him: "I have reprimanded you in the presence of the crew because you did not follow the signal to retreat, but I now congratulate you upon the work that you have done. May you repeat this accomplishment in after years." It will be recalled as an historic incident that years before Horatio Nelson at Trafalgar raised his signal "England expects every man to do his duty" and fell mortally wounded upon his flagship, at the battle of the Baltic he placed his glass to his blind eye and reported to his commander, Sir Hyde Parker, that it was impossible for him to see the signal to retreat, which was accurately true, and, instead of retreating, he made his famous charge upon the Danish line.

The time has passed when Secretaries of War or Secretaries of the Navy who have never perhaps observed any military tactics except a dress parade and who could hardly tell the difference between a revenue cutter and a battleship can fight battles with lead pencils and rulers and india rubber thousands of miles away from home. You tell a naval commander, for instance, that he must coal at sea when, owing to the condition of the tide and winds, coaling from a collier is absolutely impossible, he is bound to disobey orders or go to the bottom of the deep; you order an admiral to sail eastward on the southern coast of Cuba when he is encountering the Gulf Stream, and to make as good time as a vessel on the northern waters, where there are no impediments to encounter, and you are bound to have an unexecuted order. You instruct him to watch for signals on the Cuban coast and then you instruct another officer to meet him who knew the significance of the signals, but who failed to impart their meaning to him, so that he could not tell whether the signal lights were made by the Spanish forces or by the Cuban insurgents, and then you authorize a distinguished metaphysician and psychologist who was presiding over the Navy Department to court-martial him for not obeying orders. I ask what sort of discipline and justice and intelligence you can expect in the service of your country? I make the assertion that Schley never disobeyed a single order in all his military service except when it was absolutely necessary or utterly unintelligent, incomprehensible, and impossible of execution.

And now, Mr. President, all of these transactions have closed and Schley is gone. He has fought his last battle, he has raised his last signal, and his guns have roared their last farewell. He is now upon the beach where the tide no longer ebbs and flows. He has crossed the bridge that spans this life to the eternal shores and his ship has passed the horizon and is anchored in the harbor from which no voyager ever returns. I always felt that he never recovered from the blow his country dealt him. He delivered her as great a victory as she ever gained upon the sea and she accepted it with ingratitude and with ungracious hands. The greatest struggle he ever passed through was not amid the shot and shell at Santiago; it was when the shafts of malice and hatred were leveled at his breast; but he stood with head erect just as his boatswain described him standing on the *Brooklyn's* bridge with head erect when every other head was bowed but his. During all these trials his devoted wife stood by his side with all the fervor of her girlhood days, and in the hours of gloom and anxiety with heroic fortitude she cheered him on with all the consecration that only a woman can bestow and with all the sacred, self-sacrificing love that only a woman can feel. During one of the sleepless hours of the night, as the trial was proceeding, when he realized that all the mighty resources and influence of those in authority were arrayed against him, he said to me:

I have battled with the elements in the Arctic Zone, I have battled with the foe in the service of my country, but this is the severest ordeal through which I have ever passed. I wish I had died at Santiago. I am weary; I am weary.

Yes, Mr. President, he was weary; but the weary sun hath made a golden set and by the bright track of its fiery car it gives token of a goodly day to-morrow.

Mr. President, I move that the amount named in the original bill—\$150 a month—be substituted for the amount—\$50 a month—named in the bill reported by the committee, and on that motion I ask for the yeas and nays.

Mr. HEYBURN. Mr. President, I am going to vote for the pension to the widow of Admiral Schley, but I am not for a moment going to do it as an indorsement of any claim on his behalf as against Admiral Sampson; and, so far as I am concerned, it is not to be taken as an expression in favor of Admiral Schley in the contest as between Admiral Schley and Admiral Sampson.

Mr. RAYNER. This bill raises no such issue as that, Mr. President.

Mr. HEYBURN. The Senator's remarks raise such an issue. Mr. RAYNER. There is not one word in the remarks of the Senator from Maryland that could be so construed; on the contrary, if the Senator had listened to them instead of writing something at his desk, he would have noticed that I said that I would be equally ready to propose a pension on behalf of the widow of Admiral Sampson, had she not acquainted me with the fact that she did not need any pension; otherwise, I would have been here claiming for the widow of Admiral Sampson just exactly what I am claiming for the widow of Admiral Schley. They are united now in death, and there is no use of creating hostilities.

Mr. HEYBURN. I was not referring to anything in regard to a pension for Mrs. Sampson. I listened carefully to the Senator's remarks; but we differ in our conclusion as to who was the winner of that victory. I am not willing to concede, either directly or indirectly, at any time that Admiral Sampson was not the winner and entitled to the credit for the winning of that victory. I knew Admiral Schley well during his lifetime, and we were personal friends; nevertheless, I am not going to be suspected in this hour of changing my opinion in regard to the merits of that controversy.

Mr. RAYNER. The Senator is frequently a friend in life but an enemy in death.

Mr. HEYBURN. Mr. President, no; that is uncalled for. I am not voting here on sentiment; I am voting on the question of whether the widow of this gallant officer is entitled to a pension.

Mr. McCUMBER. Mr. President, the last Battle of Santiago seems to have lasted about as long, and no longer, than the first battle. The contest between Admiral Sampson and Admiral Schley was undoubtedly very much more earnest and probably more bloody and determined than the Battle of Santiago. I do not think it is a proper thing here for us to try over again that battle nor the controversy between the commodores connected with it. We had a thorough investigation of the subject. For my part I thought the investigation was uncalled for. I still believe it was, but Congress felt that an investigation ought to be had. It was had, and after a very full consideration the Commander in Chief of the Army and Navy of the United States came to the conclusion that the men who were really entitled to the great credit of the Battle of Santiago were the captains of the several ships, and he did not accord to them any wonderful credit for having destroyed an enemy so much inferior to themselves. But, Mr. President, they were all gallant officers; nobody denies that; and now the question arises, when we are asked to grant a private pension, whether we shall take one man and glorify him above all others in the service, whether we shall take the widow of one officer and grant her an annuity three times as much as we grant to the widows of other officers of equal rank and who have performed their duty to the Government as earnestly, as zealously, and as successfully, in my opinion, as the officer who has been discussed so eloquently to-day by the Senator from Maryland [Mr. RAYNER].

The last large pension bill that was granted by the Congress of the United States was granted in 1887 to the widow of Gen. John A. Logan. The majority of the Committee on Pensions reported against granting any special pension whatever. The Senate, however, voted in favor of a bill granting a pension of \$2,000. There was such a strong opposition to it and so much feeling because of the injustice that was done all the other officers and the widows of all the other officers in the great Civil War that Congress has not since that time dared to vote such an enormous pension to anyone.

The report that was made at that time, in 1887, gave the names and the number of widows who had been granted pensions, and they take all the generals, the brigadier generals, and the major generals; they take the admirals, the rear admirals, and so forth, and out of about 75 at least that had been given pensions only 3 were granted above \$50 per month. We have followed that rule right along since that time, and the Committee on Pensions has never reported, to my knowledge, for the widow of any officer of the Civil War or of any other war a greater amount than \$50 per month. We have been granting that for years.

Now, to single out the widow of one officer and grant her \$150 a month or \$100 a month or any other large sum is a rank injustice to the widow of every other officer who has served under the flag of the United States.

Mr. RAYNER. Will the Senator permit me?

Mr. McCUMBER. You can not place it in any other light before the American people and especially before the widows of the hundreds of officers who have received a less amount. I think I am as patriotic in my impulses as any Senator here, but I think that my patriotism is measured by a justice and by a desire to treat everyone who serves his country exactly in the same way.

I confess, Mr. President, that, following my own convictions, I commend most highly the law of 1890, which granted pensions for the widows and soldiers of the Civil War where the death or injury was not the result of the service in the war. In that law it is declared emphatically that ranks shall not be considered. That is the most just law that was ever passed by the United States, because the soldier in the rank who listens and hears the command of his officer to charge over the trenches and into the mouths of blazing cannon has done as much for his country as the man who stands back in safety and orders him to make that charge. And when the Government is to pay a debt of gratitude to the man who escaped maimed or to the widow of that man where life is the penalty, the Government should pay as much to the widow of that man as to the widow of an officer. That is my own conviction, and I believe that is the conviction of the hearts of the mass of the American people upon this subject of pensions.

Mr. RAYNER. Mr. President—

Mr. McCUMBER. I will yield to the Senator in one moment. We have made the distinction. When we have attempted to destroy the distinction Congress has voted the committee down. So the committee has taken the sentiment of the Senate and the House as its guide and has made a distinction between the widow of the officer or the man in the ranks and the widows of the higher officers. I do not think we ought to have done so, but we have done it; and having done so, and in my opinion having by that act done an injustice against the soldier of the rank and against the widow of the soldier of the rank, I do not want to supplement that by a greater injustice by treating officers and the widows of officers of like rank in a different manner. For that reason I say that when he have reached the ultimate amount of \$50 a month and have for years declared that to be the highest amount we would grant, then we ought not to select the widow of one officer and make that one a favorite and place her upon a pedestal above the widows of all other officers of equal rank who have shown equal ability and have been as patriotic in their duty.

I now yield to the Senator from Maryland.

Mr. RAYNER. The Senate has over and over again, I think, passed pensions bills as large as this. I recollect the pension to the widow of Gen. Hawley.

Mr. McCUMBER. Mrs. Hawley never received a pension at all.

Mr. RAYNER. The Senator talks about this being exceptional. The record is against it.

Mr. McCUMBER. Mrs. Hawley did not receive one dollar of pension, and she has not got it to-day.

Mr. RAYNER. Because the House did not pass the bill. She received it in the Senate.

Mr. McCUMBER. She was voted only \$50 a month, and that not on the recommendation of the committee.

Mr. GALLINGER. Mr. President—

Mr. McCUMBER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Did she receive \$50?

Mr. McCUMBER. The Senate, I think, passed it at \$50.

Mr. GALLINGER. I introduced the bill to grant a pension to Mrs. Hawley, but I have an impression that the Committee on Pensions refused to report the bill at all. That is my recollection.

Mr. McCUMBER. The Committee on Pensions did refuse to report the bill. My remembrance is, however, that the bill did pass the Senate and it was defeated in the House.

Now, we have two other cases. The case of the widow of Admiral Evans was before us a short time ago. She is receiving \$30 a month now, and the committee decided that under the evidence before them they could not allow a greater amount than that. I will say, frankly, that was because the evidence was not forthcoming to bring her case within the rule. That rule is that in order to receive a private pension bill there should be a showing of destitution, and where there has been no showing of destitution the committee refuses to report any bill.

We have a rule here which we have tried to follow. That rule is that in measuring destitution the same rule shall be applied to the widow of an officer as to the widow of a private soldier; that the word "destitution" shall not be changed to fit particular cases, but that it shall be given the same meaning in every case. It is the opinion of the committee that a person who receives \$50 a month, without any effort, has received enough at least to take him or her without the definition of being destitute.

Having applied that rule to all the others, I certainly feel, Mr. President, that it should be applied in this case.

Here is a thought that I want to submit not only to the Senator from Maryland but also to others. It has come to this pass in the matter of private pension bills: The general law gives to the widow of a captain and those above that rank \$30 per month in every case where the death of the soldier was due to an ailment or disease or wounds received in the service. If it should be more, then, to treat every one alike, we should raise that amount to \$45 or \$50 or \$60 or \$100—whatever we think is just and proper. But for the last five years there has not been a single death of an officer, in my opinion, but that you will find that immediately thereafter there is an application for a private pension bill. In other words, we are treating the widows of all the officers under the private-pension-bill system, and we are treating most of the soldiers under the general law. If we are not giving enough we ought to give more by a general law and treat them all alike, so that we shall not be accused of dealing unfairly or unjustly to anyone. If it is \$50 for one widow it ought to \$50 for every one of them, unless they are able to make a showing of destitution.

But, Mr. President, I want to keep the record straight. I want to treat the widows of all these officers alike and do exact justice, and because I believed that you did an injustice to 500 of them when you granted those widows \$50 a month, so I believe it would be an injustice to add one of them and make it \$150 a month. Therefore, I oppose the increase in this case to \$150.

Mr. RAYNER. My amendment is to give a pension of \$150 a month in lieu of \$50 a month as reported in the bill. I move to substitute \$150, which was the original bill.

The PRESIDENT pro tempore. The Chair will state to the Senator from Maryland that the bill now contains a provision for \$150, and the amendment proposed by the committee would strike out \$150 and insert \$50. It meets the same end as that sought by the Senator from Maryland to vote on the amendment of the committee.

Mr. RAYNER. Then I ask—

Mr. McCUMBER. I suggest that the proper vote for the Senator from Maryland and those who agree with him would be in this case to disagree with the amendment of the committee.

The PRESIDENT pro tempore. The question is, Will the Senate agree to the amendment of the committee?

Mr. NELSON. I should like to inquire of the chairman of the Committee on Pensions what the resources of Mrs. Schley are. What are her means, as the evidence before the committee shows?

Mr. McCUMBER. I think it shows very little, at least.

Mr. LODGE. Mr. President, it seems to me if we make this large increase in this particular case it is impossible to draw the line. There have been widows of many admirals, gallant officers, distinguished in the service, and who were left in very straitened circumstances, to whom the committee never has given more than \$50 a month, and some not so much. I have particularly in mind the widow of a distinguished admiral, who was left almost penniless, with a very small amount of money, and the committee would not even raise her pension from \$30, the pension provided by law, to \$50 a month. It seems to me it would be a very unfair and a very dangerous precedent to establish to select one widow in this way and give this very large pension.

Mr. McCUMBER. The Senator from Minnesota requested me to give a statement of the income of the widow of the late Admiral Schley. The report shows as follows:

In a sworn statement filed with your committee it is stated that Mrs. Schley has an income of \$425 per year, from the investment of her distinguished husband's life insurance, in addition to the \$12 per month she is receiving as pension. In addition to this she received last year \$500 from the sale of the writings of Admiral Schley, but this source of income will of course terminate within a very short time.

There is \$425 a year that seems to be permanent, as well as the \$12 per month; so, with the \$50 per month which we propose to give her, she then would be receiving \$1,025 a year.

Mr. SHIVELY and Mr. STONE addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Minnesota yield.

Mr. NELSON. I yield to the Senator from Indiana.

Mr. SHIVELY. I was going to suggest to the Senator that this would simply be an increase from \$12 a month to \$50 a month, and it would not make the increase he has suggested.

Mr. McCUMBER. Yes; I said with the \$425 the \$50 a month which we propose to allow her would be \$600, making \$1,025.

Mr. RAYNER. The income of \$500 from the sale of the book does not amount to anything. That may go in a year or two. With the \$12 a month and the \$425 it would take three or four years to pay the funeral expenses and erect a proper tombstone.

Mr. NELSON. Mr. President, as an ex-corporal of the Union Army, I feel impelled to say a few words in this case.

All nations have their heroes and we all delight to honor them. I feel that it is not fair in a case of the kind of Admiral Schley to put him on a level with the ordinary and common officers of the Navy. He was one of the great heroes of the Spanish-American War, and it is a shame to this great country to leave his widow with only \$400 a year to live on after services such as he rendered the country. He was practically in command of our fleet at Santiago. It fought under his direction. If he had been an admiral in the English Navy and rendered such services, he would have been given an estate, he would have been ennobled, and his family would have been pensioned in the most liberal manner.

In this great country of ours, when we have the case of a man of this kind, who rendered such great service, he should not be put on the level of an ordinary routine admiral in the Navy. I think the ordinary soldiers and the ordinary sailors and the ordinary officers of our Army and Navy would all of them be well satisfied to have one of our great naval heroes honored in this way. We gave the widow of Admiral Farragut \$2,000 a year, a very small sum, indeed, and while I concede that Admiral Schley's record is not as great as that of Admiral Farragut, it seems to me it would be a shame to leave to the widow of such an officer the paltry pension of \$50 a month.

The PRESIDENT pro tempore. The pending question is on agreeing to the amendment proposed by the committee, which is to strike out "\$150" and insert "\$50." Of course, if the amendment is adopted, the pension originally proposed of \$150 is stricken out and \$50 is put in the bill, and if the amendment is not adopted the provision of \$150 must stand. The question is on agreeing to the amendment of the committee.

Mr. McCUMBER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BAILEY (when his name was called). I am paired with the Senator from Montana [Mr. DIXON], and withhold my vote.

Mr. GALLINGER (when Mr. BURNHAM's name was called). I wish to announce that my colleague [Mr. BURNHAM] is paired with the Senator from Maryland [Mr. SMITH].

Mr. WATSON (when Mr. CHILTON's name was called). My colleague [Mr. CHILTON] is necessarily absent from the city. He is paired with the senior Senator from Illinois [Mr. CULLOM].

Mr. GALLINGER (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE], and I therefore withhold my vote.

Mr. GARDNER (when his name was called). I have a general pair with the Senator from Massachusetts [Mr. CRANE]. Upon this proposition I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote. I vote "nay."

Mr. HEYBURN (when his name was called). I have a general pair with the Senator from Alabama [Mr. BANKHEAD]. I therefore withhold my vote.

Mr. PAYNTER (when his name was called). I would vote "nay" on this proposition except for my general pair with the Senator from Colorado [Mr. GUGGENHEIM].

Mr. SMITH of Arizona (when his name was called). I am paired with the Senator from New Mexico [Mr. FALL]. It is a general pair, and I withhold my vote.

Mr. MARTIN of Virginia (when Mr. SWANSON's name was called). My colleague [Mr. SWANSON] is detained from the Senate in discharge of official business in connection with Senate work. He is paired with the Senator from Nevada [Mr. NIXON].

Mr. WATSON (when his name was called). I transfer my pair with the senior Senator from New Jersey [Mr. BRIGGS] to the junior Senator from Indiana [Mr. KERN] and vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PEN-

ROSE]. I transfer that pair to my colleague [Mr. PERCY] and vote. I vote "nay."

The roll call was concluded.

Mr. BRANDEGEE. I have a general pair with the junior Senator from New York [Mr. O'GORMAN], but I am informed that if he were here he would vote "nay." Therefore I will vote. I vote "nay."

Mr. GORE. The junior Senator from Maine [Mr. GARDNER] transferred his pair to me, and I will allow the transfer to stand.

Mr. DILLINGHAM. May I inquire whether the senior Senator from South Carolina [Mr. TILLMAN] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. DILLINGHAM. I will withhold my vote.

The result was announced—yeas 10, nays 42, as follows:

YEAS—11.

Borah	Jones	Page	Smoot
Bristow	Lodge	Root	Sutherland
Hitchcock	McCumber	Smith, Ga.	

NAYS—41.

Ashurst	Foster	Nelson	Smith, Mich.
Bourne	Gardner	Newlands	Smith, S. C.
Bradley	Gronna	Oliver	Stone
Brandegee	Johnson, Me.	Overman	Thornton
Brown	Johnston, Ala.	Perkins	Townsend
Bryan	Lea	Polindexter	Warren
Cañon	Lippitt	Rayner	Watson
Chamberlain	McLean	Reed	Williams
Clapp	Martin, Va.	Richardson	
Clark, Wyo.	Martine, N. J.	Shively	
Fletcher	Myers	Simmons	

NOT VOTING—43.

Bacon	Cullom	Guggenheim	Percy
Bailey	Cummins	Heyburn	Pomeroy
Bankhead	Curtis	Kenyon	Sanders
Briggs	Davis	Kern	Smith, Ariz.
Burnham	Dillingham	La Follette	Smith, Md.
Burton	Dixon	Lorimer	Stephenson
Chilton	du Pont	Nixon	Swanson
Clarke, Ark.	Fall	O'Gorman	Tillman
Crane	Gallinger	Owen	Wetmore
Crawford	Gamble	Paynter	Works
Culberson	Gore	Penrose	

So the amendment of the committee was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 24023) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it may first be read for amendment, and that the committee amendments be first considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it will be so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Legislative," subhead "Senate," on page 1, line 10, to increase the appropriation for compensation of Senators from \$690,000 to \$720,000.

The amendment was agreed to.

The next amendment was, on page 1, line 11, to increase the appropriation for the mileage of Senators from \$47,000 to \$51,000.

The amendment was agreed to.

The next amendment was, on page 2, line 14, after the words "journal clerk," to insert "principal clerk, reading clerk"; in line 15, after the word "each," to strike out "principal clerk, reading clerk"; in line 17, after the word "bookkeeper," to insert "one clerk, printing clerk"; in line 18, after the word "revenue," to strike out "and general appropriation"; in line 21, before the word "indexer," to insert "compiler of Navy Yearbook and Senate report on river and harbor bill, Woodbury Pulsifer, \$2,220"; in line 22, before the word "assistant," to strike out "printing clerk"; in the same line, before the word "clerks," to strike out "three," and insert "two"; on page 3, line 1, after the word "stationery," to strike out "\$1,900," and insert "\$2,000"; in line 4, after the word "each," to insert "laborer in stationery room, \$720"; and in the same line, after the words "in all," to strike out "\$88,960," and insert "\$93,060," so as to make the clause read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of the contingent

fund of the Senate, \$6,500; hire of horse and wagon for the Secretary's office, \$420; assistant secretary, Henry M. Rose, \$5,000; chief clerk, \$3,250; financial clerk, \$3,000 and \$1,250 additional while the office is held by the present incumbent; minute and journal clerk, principal clerk, reading clerk, and enrolling clerk, at \$3,000 each; executive clerk, and assistant financial clerk, at \$2,750 each; librarian, file clerk, chief bookkeeper, one clerk, printing clerk, and clerk compiling a history of revenue bills, at \$2,500 each; keeper of stationery, \$2,400; compiler of Navy Yearbook and Senate report on river and harbor bill, Woodbury Pulsifer, \$2,220; indexer for Senate public documents, assistant librarian, and two clerks, at \$2,220 each; four clerks, at \$2,100 each; assistant librarian, \$1,800; assistant librarian, \$1,600; skilled laborer, \$1,200; clerk, \$1,800; clerk, \$1,600; assistant keeper of stationery, \$2,000; assistant in stationery room, \$1,200; messenger, \$1,440; assistant messenger, \$1,200; three laborers, at \$840 each; three laborers, at \$720 each; laborer in stationery room, \$720; in all, \$93,060.

The amendment was agreed to.

The next amendment was, on page 3, line 8, before the word "assistant," to strike out "first assistant, \$2,000; assistant, \$2,000," and insert "two assistants, at \$2,250 each"; and in line 9, after the words "in all," to strike out "\$12,520," and insert "\$13,020," so as to make the clause read:

Document room: Superintendent, George H. Boyd, \$3,000; two assistants, at \$2,250 each; assistant, \$1,440; two clerks, at \$1,440 each; skilled laborer, \$1,200; in all, \$13,020.

The amendment was agreed to.

Mr. REED. Mr. President, before we proceed any further, I want to ask the Senator in charge of the bill a question for information. I desire to ask him why, in line 10, on the first page, the appropriation for the compensation for Senators is changed from \$600,000 to \$720,000?

Mr. WARREN. Because there has been an increase of four new Senators since the estimate was made, and the increased amount is simply the difference.

Mr. REED. It just makes that difference?

Mr. WARREN. I think it does; and I think the Senator will so find.

Mr. REED. I have not figured it. I only asked for information.

Mr. WARREN. The same is true as to the proposed appropriation for mileage.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 14, after the word "clerk," to strike out "\$1,440" and insert "\$1,800"; in line 16, after the word "each," to strike out "assistant clerk, \$1,440," and insert "two assistant clerks at \$1,440 each"; in line 17, before the word "clerk," to insert "laborer, \$720"; and in line 19, after the words "messenger, \$1,440," to insert "messenger, \$1,200," so as to read:

Clerks and messengers to committees: Clerk to the Committee on Additional Accommodations for the Library of Congress, \$2,220, messenger, \$1,440; clerk to the Committee on Agriculture and Forestry, \$2,500, assistant clerk, \$1,800, messenger, \$1,440; clerk to the Committee on Appropriations, \$4,000, two assistant clerks, at \$2,500 each, two assistant clerks, at \$1,440 each, messenger, \$1,440; laborer, \$720; clerk to the Committee to Audit and Control the Contingent Expenses of the Senate, \$2,500, messenger, \$1,440, messenger, \$1,200.

Mr. REED. Mr. President, does that last amendment mean that there is to be another employee at \$1,200 a year?

Mr. WARREN. Mr. President, perhaps I ought to say at this point that on the page now being considered there are numerous amendments. In each case they simply provide for putting on the annual roll what the Senate itself had ordered done in providing employees and paying them from the contingent fund of the Senate. As the Senator will remember, there was a very decided reform movement when the present Congress assembled in the way of having every employee noted as to where he was employed, in order to destroy what was termed "the bad practice of details." Before that time certain employees had been detailed to this or that Senator's committee in the line of economy, as it was thought. Some of us who were rather familiar with appropriations were of the opinion that the proposed changes would make no saving, but we had to submit. It is now thought desirable to show exactly where every man is employed, and we have carried out that plan. We took from the roll of employees who had been so detailed thirty-odd men. Meanwhile the Committee on Contingent Expenses from time to time allowed this committee, that committee, and the other committee clerks or messengers to take the place of those formerly detailed. In that way we have added some 8 or 10 more employees than we disposed of previously, and, of course, at an additional cost, perhaps, of from \$15,000 to \$20,000. The duty of the Committee on Appropriations is to fulfill the law; the Senate has already provided for these employees, and they are now being paid from the contingent fund of the Senate, which is hardly proper; in fact, the law regarding the contingent fund makes it impossible to indefinitely continue that practice without infringing upon the law.

Mr. REED. This amounts to a recognition of these places?

Mr. WARREN. For the next fiscal year.

Mr. REED. For the continuance of these places for the next year?

Mr. WARREN. Yes.

Mr. REED. We are not merely appropriating money for services that have been rendered, but it is expected to carry this over into next year?

Mr. WARREN. We are not doing anything in regard to these employees except putting them on a regular roll, paying them a stated amount, and placing everything in plain sight, rather than having them paid from the cashier's desk and charged to the contingent fund. That is all.

Mr. REED. Mr. President, while the Senator is on his feet I wish to ask another question. Of course, if this bill was one that simply proposed to pay the debts that we have created, I would not rise to say anything, but it is intended now to provide for next year. Now, I want to know why a messenger gets \$1,440 in some instances and \$1,200 in others? What reason is there for that discrimination?

Mr. WARREN. There are differences that have been recognized heretofore in the importance of committees, according to the character and volume of their work, and there also have been differences regarding the amount of work occasioned by seniority places on the higher committees of some of the Senators. It is pretty hard to say that every committee shall have employees at the same salary and of the same number, because the work is not evenly distributed.

Mr. REED. Mr. President, I can recognize the fact that one committee has work requiring technical knowledge or peculiar skill and another committee may have work of a simpler character, but the work of a messenger—

Mr. OVERMAN. I want to say to the Senator that I think he will find that the committee has not increased any salary or added anybody to the pay roll, but we have followed the law as it exists under resolutions which have been passed by the Senate. The question as to why this distinction should be made I am not able to answer, but the Senate has done it.

Mr. REED. Exactly.

Mr. WARREN. If the Senator will allow me, I wish to add to what the Senator from North Carolina [Mr. OVERMAN] has said that we have but followed what has been determined upon and reported by other committees and what the Senate itself has passed upon. We are simply obeying the command of the Senate in these matters as to the salaries that are paid here. The responsibility is not with the Committee on Appropriations. If the Senator has the idea that he has to reckon with the Committee on Appropriations in this matter, he is mistaken, because the Committee on Appropriations did not fix those salaries, but, as I have said, it simply followed what the Senate itself has heretofore established in regard to them.

Mr. REED. I understand that; and nothing I have said here is intended in the slightest degree as a criticism of the committee or of its work.

Mr. WARREN. I understood that, Mr. President, but it was as a matter of information that I responded to the Senator.

Mr. OVERMAN. Many amendments have been reported by the Committee on Appropriations to the House bill. The House bill only provides for the places established under the current law which was passed last year, and the Senator will understand that what the committee have added in italics is to cover places that have been added by the Senate since that time. Heretofore there have been stuck around all over this building, in positions that nobody knew anything about, certain men—a great number of them—who were paid from the contingent fund of the Senate. A man was slipped in here and a man was slipped in there. We determined to provide for these places in the regular appropriation bill, so that the entire Senate and everyone else might know who is provided for and where he is employed, instead of having everything in the dark.

Mr. REED. I think that is very commendable, and I believe I understand the situation. The point I am trying to make, or to give expression to, in my very imperfect way, is this: It seems to me now is the time to equalize these salaries. I was saying that, of course, there might be committees having employees required to possess particular and special skill, where a salary commensurate with their ability ought to be paid, and other committees, requiring service of a simpler sort, where a smaller salary would be proper. But now, when you come to the question of a messenger, unless it is a misnomer, and unless somebody is working under the name of messenger who is not in fact a messenger, they all ought to be of about the same class and receive the same amount of pay. Simply because a resolution was passed here in the hurry of some day's work giving a messenger to a certain committee at \$1,440,

and the next day because a resolution was framed for another at \$1,200, now when we have the matter before us there is no reason why we should perpetuate that inequality. I think that a messenger is a messenger, and whatever is just and proper to pay one should be paid to all the others. For that reason I have made these inquiries.

I think, Mr. President, they all ought to be paid \$1,200 or \$1,300 or \$1,440, and that discrimination of this kind ought to cease. If any of these men are in fact not performing the duties of messengers, but are performing labor of a different character, they ought to be properly named in this bill, and their salaries ought to be fixed at whatever sum is right. I know the disposition of the Senate on bills of this kind is to regard such a matter as too burdensome for the Senate to pass upon in session, and consequently any effort to amend such a bill is generally regarded with little favor. That is particularly true when some Members are anxious to get away.

But as I glance over these pages, simply catching what I may as my eye runs over them, I find that the clerk's salary is very frequently \$1,440, the messenger's salary very frequently \$1,440; and, again, you will find plenty of clerks working at \$1,200, if I am not mistaken, and you will also find plenty of messengers working at \$1,200. So there is no system about it, and there is on the face of the papers no equity about it. If there be back of the mere names some reasons, I would like to know what they are.

In this connection, not to take up the time of the Senate unduly, I want to register my protest for whatever it is worth against the inequalities which exist generally. We pay a man who runs an elevator a certain salary. I think he gets a hundred dollars a month, or twelve hundred dollars a year. It is a position which can be filled with very little experience, without any education, without any special qualifications whatever. There is not one man in a thousand who can not learn to run an elevator. I am not saying that twelve hundred dollars a year is a penny too much to pay, but I think it is pretty liberal for that class of work. These men work on hours and work on shifts, so that they do not have long and tiresome hours of labor.

I never was in favor of being niggardly about the question of wages, and I am not so now, but if you come to the question of the clerks for Senators you will find messengers who are receiving as much pay as a Senator's clerk; you will find plenty of messengers receiving more pay than a Senator's stenographer; and you will find elevator men receiving the same pay as a Senator's stenographer.

The fact of the matter is, that no man is fit to be the clerk of a Senator who is not a man of education and of superior intelligence. He is constantly required to visit the departments and look after business in which the public are interested or in which various citizens of the Republic are interested, and he is required to possess a knowledge and a skill in many instances which would do credit to the ordinary lawyer. Just in proportion as he is educated, qualified, and learned is he able to serve the public and serve the constituency of his State. To keep a man of that kind at \$1,440 a year, upon a par and level with a mere messenger, is inequitable, it is unjust, and it is against the interest of the public service. Any man can carry a package from one end of the town to the other and perform the duties of a mere messenger, while it requires learning, skill, and intelligence to perform these other duties in which the public are interested.

Mr. WARREN. If the Senator will allow me, perhaps I ought to say that a large number of these persons designated "messengers" are really clerks and stenographers; but the old name carries forward the appropriation as messengers. I think quite a proportion of them are really clerks and stenographers.

Mr. REED. That brings me to the statement I made early in my remarks, that if they are not in fact messengers, then the term is a misnomer and we ought to name them after the positions they actually occupy.

Now, I go a step further. Take stenographers to Senators. We call them, I think, messengers. They should not be so designated. But no man is fit to hold that position who is not qualified, or at least very nearly qualified, to be a reporter in a court. The amount of work that must be performed by these men, particularly if they come from large and populous States, is onerous and burdensome in the extreme. They are frequently kept in their offices long after the usual working hours and they are required to possess a high degree of skill and efficiency.

I find that the clerk, or messenger of a Senator, as he is called—the stenographer—gets \$1,200 a year; but if he happens to be a messenger for a committee he gets \$1,440 a year, in some instances, and \$1,200 a year in other instances. The same kind

of men doing the same kind of work receive different compensations. I protest against that. I do not believe that the clerk of a Senator receives as much money as a competent stenographer ought to receive. I do believe that there are many positions around this Capitol that come under the direct jurisdiction of Congress where men are paid out of all proportion to the services they render, if we are to take as a standard the amount which is received by clerks and stenographers holding important positions.

I want to ask the Senate to give some thought and consideration to this subject. I want to ask the chairman of the committee if he does not think that these salaries could be equalized and the committee in a short time could ascertain the respective duties of the men covered by the bill and report a bill that would equalize the salaries.

Mr. WARREN. What was the Senator's inquiry? I hope the Senator will excuse me, but I was looking at the bill.

Mr. REED. I understand that the Senator was examining the bill. I made the inquiry whether it was not possible for the committee to report a bill here that would equalize the salaries and give us the proper name or title for the men engaged in the various employments which are covered by the bill. In other words, whether we could not have it stated on the face of the bill who are stenographers, and the compensation of "stenographers"; who are actually messengers, and the compensation of "messengers"; and whether they could not put all these men now in the various classes at the same salary and report a bill of that kind. Why is it necessary, if we have in the past made these inequalities by passing separate bills, to perpetuate these inequalities in this bill?

Mr. WARREN. Does the Senator assume that all clerks to committees and assistant clerks should be at the same salary, exactly?

Mr. REED. I see no reason why they should not be if they put in all their time.

Mr. WARREN. That in theory, perhaps, sounds well, but it requires an experience and ability for some work, in some committees, that are not required in others. Consequently men of great experience and more talent must be employed in order to do the work. So it would hardly be possible to put them all on a level as committee clerks. Some committees never have a meeting; other committees hardly have a day's rest during the session.

Mr. REED. If the Senator will pardon me, a committee that never has a meeting has no business to have a clerk at any salary.

Mr. WARREN. Unfortunately, perhaps, but nevertheless it is true, we make no provision for a Senator to have a clerk if he is chairman of a committee. I want to say to the Senator, if he will permit me—

Mr. REED. Certainly.

Mr. WARREN. I was unfortunate enough to be placed on the subcommittee on this bill when I first went on the Committee on Appropriations, and it is the bête noir of all bills. For instance, the gentleman who preceded me as chairman of the Appropriations Committee would never serve on the subcommittee on this bill because of the immense number of salaries it carries that affect not only Senators but Members of Congress and people at large, and it is impossible, with the differences of opinion that exist, to compose those differences so as to arrive at terms of satisfaction to everybody.

We have had various committees at work upon this. For instance, the Appropriations Committee will pass a bill with certain salaries. Perhaps a week or ten days afterwards a Senator will rise in his place and introduce a resolution to provide for an extra clerk at a certain salary. That goes to a certain committee, comes back, and the Senate approves of it. It is then out of the hands of the Committee on Appropriations and the place is established by law. All that the Committee on Appropriations can do is to follow and appropriate the money. This equalization has been tried a great many times. There have been committees on equalization, and whatever has been the result, there has always been more or less dissatisfaction, because one Senator looks at his own work, perhaps, a little differently from that of his neighbor. It seems to me that the present arrangement is as equitable as any arrangement heretofore made. In fact, I believe it to be more equitable. And if changes ought to be made here, the duty belongs just as relevantly to other committees of this body as to the Committee on Appropriations, and rather, I should say, to the Committee on Contingent Expenses of the Senate, because that is the committee which is called upon from time to time to raise the salaries or increase the number of clerks.

For instance, a Senator rises and asks to have a clerk whose salary is \$1,440 raised to \$1,800, and the resolution goes to the

Committee on Contingent Expenses, and it raises the salary of that clerk. The Committee on Appropriations thereafter accepts it as the will of the Senate.

A complete reorganization, I presume, is what the Senator is thinking of. I should never object to a reorganization if conditions could be bettered; but I must say that taking the past as a criterion, I think we have not made the progress in undertaking to reclassify that the sanguine people had hoped for.

Mr. REED. I take it, Mr. President, that the Senator does not mean to say either one of two things—that the Senate has reached a condition of perfection, and therefore no changes should be made, and to assert that it has reached a condition so hopeless that defects can not be remedied. I confess I do not criticize the Senator for not thinking that anything in the shape of a real reform can be passed in the present Senate. I am inclined to join him in the sentiment that it is a somewhat hopeless case.

Mr. WARREN. Mr. President, perhaps the Senator has given more color to that statement than I intended. I do not regard the present arrangement of the clerks of committees in the Senate as in complete disorder and in a position where immediate reform is necessary. I believe that generally speaking they are all right. As to a perfect arrangement I have never claimed that it was or that it ever will be. As I said, the interests of different Senators are bound to be reflected more or less in their own households, in their own clerkships, and so forth.

Mr. REED. I did not mean to put the Senator in that light, because he has been very courteous in answering these inquiries. I simply meant, by stating the matter in a somewhat extreme way, to point out what I thought was the defect in his logic.

What the Senator has said, however, warns me in insisting upon all that I have undertaken to maintain. It amounts to this: Some Senator concludes that he wants an additional clerk for a committee, which may and may not meet. He makes up his mind what he wants that clerk paid and introduces a resolution. If he happens to be a liberal and generous man, either with his own money or the public's, he introduces the proposition at a high salary. If he is of an economical turn of mind, he introduces it at a lower amount.

The PRESIDING OFFICER (Mr. BORAH in the chair). Will the Senator from Missouri suspend?

Mr. REED. Certainly.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 20182. It will be stated.

The SECRETARY. A bill (H. R. 20182) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909.

Mr. SIMMONS. I should like to inquire of the Senator from Wyoming whether he thinks we will be able to finish the consideration of the appropriation bill to-day?

Mr. WARREN. I am in hopes that we may. Of course, it is entirely within the will and pleasure of the Senate. But I think the Senator will agree with me that it is rather important to get the bill through. It is a bill of about 170 pages, with innumerable changes, and I think the Senator will agree that it is important that we should get it through as soon as we can and get it into conference, which will naturally take some time.

Mr. SIMMONS. I recognize the importance of that, Mr. President, and of course I do not desire to interfere with the Senator in going on with the appropriation bill, but I merely inquired whether he thought it was probable that he could finish the bill to-day.

Mr. WARREN. Yes; I indulge the hope that we may.

Mr. SIMMONS. In view of the importance of getting the appropriation bill into conference, I will ask that the unfinished business be temporarily laid aside, so that the Senator from Wyoming may proceed with the pending bill.

The PRESIDING OFFICER. The Senator from North Carolina asks that the unfinished business be temporarily laid aside. Without objection, it is so ordered. The Senator from Missouri will proceed.

Mr. REED. I was saying, Mr. President, that it is perfectly manifest from the statement of the Senator in charge of this bill that we have allowed the system to grow up of Senators coming before the Senate with a resolution for the employment of a clerk or a messenger and naming the compensation to be paid in the resolution and the Senate passing it without considering it in connection with the salaries paid to others filling like positions. The result is—

Mr. WARREN. No, Mr. President; I hardly think the Senator desires to carry that reflection. Of course, the chairman

of this committee has been chairman for only a few months, and the reports from the committee from time to time have been such that there was no reason why he, as chairman of the committee, should contend against them, because they did not exceed the amounts that had been paid to others along the same line.

Mr. REED. Mr. President, I do not want to take the time of the Senate in haggling about the technicalities of a statement. The fact is this bill on its face shows, as I have already stated, that here are messengers receiving \$1,440 a year, here are other messengers receiving \$1,200 a year, here are clerks receiving \$2,500 a year, and then many clerks are receiving only \$1,200 a year.

I understand perfectly well that there may be a difference in the class of men required to perform certain clerical duties, and it may be necessary to pay some of them twice as much as you pay others, because you are requiring a higher degree of skill and efficiency. But I also understand that the fundamental fact remains that time after time resolutions have been introduced here creating a basis, fixing a salary in the resolution, and without any serious consideration the resolution has been passed. The result has been that the salary has depended in most instances upon the degree of generosity or the degree of economy which is exercised by the particular individual who introduced the resolution.

Now, it does seem to me that it is utterly wrong to pay an elevator man the same salary that you pay a high-class stenographer, capable of taking his position in a court and reporting evidence; and it is absolutely wrong to pay a messenger, who carries messages, the same salary that you pay the clerk of a Senator, who is required every day of his life to serve a constituency, numbering in many instances two or three millions of people, before the various departments of the Government. The fact that these resolutions have been introduced in this haphazard way, and thus the salaries have been once fixed on an inequitable basis, is no reason why, when we come to pass a general appropriation bill, we should perpetuate the mistakes which have been made.

I am not content to see a bill passed in this way. I would be content to see it passed if the Senate would appoint a committee and instruct that committee to equalize the salaries and report its findings here to the Senate, so that when these salaries come to be paid at the next session we could fix them upon a proper basis; but in its present form it seems to me that it is very unjust.

Just let me call attention to a few of these items as I run over them. Here are, for the Committee on Additional Accommodations for the Library of Congress, a clerk at \$2,220 and a messenger at \$1,440. I want somebody to tell me why a clerk for the Committee on Additional Accommodations for the Library of Congress is a more valuable man than the clerk of a Senator. I should like to inquire whether the Committee on Additional Accommodations for the Library of Congress have had one meeting at this session. I do not think there is anybody on this floor, except the members, who can tell who is on that committee without looking at the Directory.

Mr. HEYBURN. I will ask if the Senator can tell us?

Mr. REED. I do not know. I am saying that to emphasize the fact that so far as I have any light there is no reason why that salary should be \$2,220, and other men should be employed requiring high skill, and constantly employed, at \$1,440.

Mr. WARREN. Mr. President, there does not seem to be a very full attendance in the Senate; the chairman of that committee is not in his place at the present moment, but I will say that the chairman of the committee represents one of the greatest States in the Union, and the clerk is not only the clerk of the committee, but he is his personal clerk as well. He is one of those Senators who has been here a long time, so that in the distribution of the so-called steering committee on the Democratic side they have assigned to him that particular committee chairmanship. Those have been the standard rates and salaries for a number of years. It is a minority committee, and it is entirely within the hands of the minority as to who shall be the chairman. The Senator from Texas [Mr. BAILEY] is the present chairman of that committee. I can not state how often it may have meetings or what business it does.

Mr. REED. Mr. President, I am not complaining about who was put in as chairman of the committee; I am not complaining that the chairman of the committee has not performed his duties; but I am complaining that a salary should be paid here of several hundred dollars more than is paid to the clerk of an ordinary committee, or more than is paid to the clerk of a Senator. That is the point.

If that was a committee constantly in session, such a committee, for instance, as the great Finance Committee, I could see how a clerk of the committee would have very onerous

duties to perform and great labor, and he would of necessity possess considerable skill if he filled his place properly. But here is a committee that, so far as I know, has but slight duties to perform.

It is said he is also the clerk of a Senator. Well and good. He can not put in any more time than a clerk has to put in of a Senator coming from one of the large and populous States. He has all the work he can do as the clerk of the Senator, and if he had any considerable duties to perform as clerk of a committee he would not be able to perform both.

I take it that all this amounts to, in the long run, is that here is a man who has the title of clerk of a committee, and because he has that title, without any considerable duties to perform, he receives several hundred dollars a year more than his brother clerks, who do just as much work. Now, if that is true, it is not fair. It is not right.

Mr. WARREN. On general principles I do not believe that is true. A Senator who has no chairmanship of a committee has no responsibilities of that committee. The Senator is exclusively engaged in his business or the public business of a Senator. In the case of a chairmanship of a committee, the Senator has no clerk. He simply has the clerks of this committee, and the fact that one gets \$2,200 and another \$2,000 is because it is assumed that the Senator representing a great State, who has been here a number of years, has, because of his seniority, high places upon other committees, from which he has to make reports, upon which he has to expend labor, and he must have a better class of help than one who comes in new and who has not as yet those responsible duties to perform. For instance, a minority man may have a perfectly unimportant committee as chairman, but he may serve on the Appropriations or the Finance Committee or he may serve on the Naval Affairs Committee or he may serve on the Judiciary Committee, and on other important committees, and he must have his work done. If he prepares speeches, he must have his clerk hunt for his citations and papers, and he must do his departmental work. It has been thought that the difference between \$2,000 for a newcomer who has no committee and \$2,220 for the older Senator who has increasing duties is not a distinction between the two that is reprehensible in any way. That has been not only the belief of one side of the Chamber but of both sides of the Chamber.

Mr. REED. Mr. President, that is a strange philosophy. It amounts to this, that as a man gets wise and needs help less, because of his accumulated wisdom, he shall have wise men to surround him and advise him and assist him. But in the days of his darkness and ignorance, when he first breaks into the effulgence of this great body, he is not only to have his mind clouded by ignorance, but he is to be hobbled by inferior help. The truth is, if it was desired to put those of us who are newcomers, who suffer by reason of our inability to comply with the law of seniority, upon a basis of usefulness we ought to have high-priced men assigned to us so that we would not make so many mistakes.

Mr. WARREN. Will the Senator allow me?

Mr. REED. Certainly.

Mr. WARREN. I agree with the Senator's position as to newcomers. I have been a newcomer, and I desire to say to the Senator that I had no clerk. No other newcomer had in those days, except during the session itself, when he had a per diem clerk. I felt very much like making a row about it, as far as I could, and I succeeded, after long and strenuous effort, in obtaining an annual clerk at \$1,200; and that is all a new Senator had here for years. I was one of those who strove to have it higher in the first place, and I have striven since then. The salary went from that sum to \$1,500, and then to \$1,800, and finally to \$2,000, with a second clerk, or messenger, at \$1,200. All that time the clerk of the Committee on Accommodations of the Library, which the Senator has seen fit to allude to specifically, had \$2,220, just as he has now, and those \$2,220 clerks are the same as they were then, when we newcomers could not get even one \$1,200 clerk. So I think that, speaking in the line of reform, if the Senator is right in the reform that he proposes, he will at least admit that we have proceeded quite a way along the route he asks us to travel.

Mr. REED. Mr. President, that is very encouraging. A moment ago the Senator discouraged me; he led me to believe that it was impossible to effect any change in this body; that we had either reached a condition of perfection or a condition of fossilization, I do not know which, but anyway that we could not move.

Mr. WARREN. The Senator's remarks are very amusing; but I did not make any such statement as that, as the Record will show.

Mr. REED. That was my construction. Of course we all construe things differently. I confess there are some things

here so abstruse anybody is likely to make mistakes; at least I am.

Now, I did not single out that committee to criticize it. I expressly said I did not criticize the committee. I did not criticize the Senator. I made no complaint on that ground, but as my eye happened to strike that one committee I inquired why the clerk of the committee received more than the clerk of a Senator, in view of the fact that the Senator had stated he was, in fact, merely the clerk of the chairman, having whatever small duties there were connected with the committee. I did not single it out for criticism, and I do not do it now. It was just one item that happened to strike my eye.

Mr. President, the Senator's remarks between the words and between the sentences reveal this: He states that when he first came here as a Senator he had no clerk, he had no stenographer, he had no help, but that these positions with these high salaries then existed.

Mr. WARREN. Excuse me. I said I had no help except a per diem man during the session.

Mr. REED. Yes, I accept the correction. But the Senator said the positions at higher salaries then existed. If I understand the Senator's argument right, it amounts to this: The theory is that when you come here you do not amount to much anyway; that there are various plums or persimmons high up on the tree, and when you have been here long enough you will get some of the plums.

Mr. President, that is the very thing I am protesting against. I am protesting not on account of the Senators, because whatever honors a Senator can get by long service, that comes to him personally and because of his experience, well and good, let him have them. I am not discussing that, but I do insist that the man who happens to be clerk for a Senator who has been here 10 years is not in equity or good conscience entitled to any more pay than a clerk who performs the same duties for a man who has been here only 10 months.

I go further than that. The Senator stated that he got along when he first came here with a per diem man. Well, if I represented a State with only 150,000 voters in it, or less, I could get along with a per diem man now. I do not say that to criticize the Senator nor to criticize his State, but there is a sufficient inequality now arising out of the fact that some Senators have to keep up a correspondence with the people of a State that has a population of 200,000 or 250,000 people; and others have to look after States, as I believe in the case of New York, of five and a half million people, and the work is not equal.

Mr. WARREN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Wyoming?

Mr. REED. Certainly.

Mr. WARREN. Perhaps the Senator has forgotten that a State like New York has 37 or 40 or 42 Members of Congress, while the smallest States have but one Member, and so the correspondence comes to Senators from small States that would naturally go to Members of the House from large States. It is hardly fair to say that the representation is the same with the small State that has but one Representative in Congress.

Mr. REED. But they have the same representation here. Then I want in all fairness to say to the Senator from Wyoming that there is a great difference between the burdens falling upon any man in the Senate to-day and the burdens that fell upon a Senator 10 or 12 years ago. Of course, I can not speak of that from experience; I was not here; but I can speak of it from equally certain knowledge. We have added in the last 10 or 15 years to the departments of this Government; we have added to the Cabinet; we have added all sorts of bureaus; we have multiplied the work of the Federal Government enormously; and year after year that is growing and increasing, so that to-day a man who sits here representing a State with any considerable population can keep a clerk and a very competent stenographer busy at their machines 8 and 10 hours a day and yet fall behind in the work that comes crowding upon him.

I have taken, because of these interruptions, about ten times as much of the Senate's time as I expected. I say that in my humble judgment a committee ought to be appointed to equalize the salaries of these various employees and to report back to the Senate; and at the proper time I intend to offer that kind of a resolution. I do not intend to undertake to obstruct the passage of this bill; that is furthest from my thought; but I should like to see it so arranged that men performing similar work would get the same pay; and it does seem to me that is not an impossible task.

Mr. HEYBURN. Mr. President, we evidently look upon this question from a different standpoint. The necessity of a Senator depends upon the work which he has to perform as a Sena-

for regardless of his committee. The work assigned to a Senator who chances to be chairman of a committee that has little before it may be greater than that of a committee that has much business before it and none before any other. All this morning, before the meeting of the Senate, my clerks were engaged upon work assigned to me as a subcommittee by a committee of which I am not chairman. I have five assignments of that kind. It keeps the clerks busy.

My Committee on Manufactures affords a good deal of work, but committees of which I am not chairman involve upon me many times as much work, and receive, or must receive, at the hands of my secretary, much more work than the committee of which I am chairman. It will not do at all to judge a Senator's work by the amount of work before the committee of which he happens to be chairman. For instance, the Committee on the Philippines refer to me a bill which involves the making of a tariff law for that committee, or any other matter of that importance; they refer it to me as a member of the Committee on the Philippines, not as chairman of the Committee on Manufactures. I can not go to the Committee on the Philippines and say: "Please detail me some clerical force here to assist with this work"; I am not at liberty to do that. The nominal clerks of the Committee on Manufactures must do that work. The Committee on Public Lands refer measures that require a vast amount of work, research, and preparation for report in great detail. I can not go to the Committee on Public Lands and say, "I should like to have the assistance of some of the clerks of the Committee on Public Lands to do this work." I must do it with the clerks of the Committee on Manufactures. Thus it goes. I think it will be obvious that you can not measure the necessity for assistance by the chairman of a committee by the business that is referred to the committee of which he is chairman.

We have suffered under that condition here throughout many years, and it is pretty annoying to be required to do work and to have men coming to you, as they are coming to me continually, and saying, "How soon can you get that report ready?" "How soon can you report this measure from the committee?" of which I am not chairman at all, and urging me to do the work. I work all kinds of hours and under all kinds of extraordinary circumstances, yet a committee of this body, invested with the recommending power in regard to clerical help that a committee shall have, declines to give me another assistant. The result is that I am compelled to suffer under the burden of insufficient help. Is that fair?

I have no idle committees; I have no nominal assignments to any committee. I am on eight committees, and there are none of them committees without business.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. HEYBURN. Yes.

Mr. REED. I do not know whether the Senator from Idaho was really addressing his remarks to me, but whether he was or not I am enlightened by what he says. I understand him to say that, being burdened with work imposed upon him as a member of various committees, he has to call in to help him the clerks assigned to the committee of which he is chairman.

Mr. HEYBURN. I do not have to call them in. I have them there.

Mr. REED. You have them there and use them.

Mr. HEYBURN. Certainly.

Mr. REED. That is all right for a Senator who is the chairman of a committee, but what becomes of a Senator who is a member of a number of important committees and who has work assigned to him but who, unfortunately, is chairman of no committee and has no extra clerks?

Mr. HEYBURN. He should have sufficient clerical force to enable him readily and easily to perform any duties that may be assigned to him. In raising this question the Senator referred to the Committee on Additional Accommodations for the Library of Congress.

Mr. REED. Would the Senator pardon me a moment, while we are on that matter?

Mr. HEYBURN. Just a moment. The chairman of that committee is on the Committee on Census, on the Committee on Finance, on the Committee on Irrigation and Reclamation of Arid Lands, and on the Committee on Rules. Any one of those committees, and some others that I did not mention, would require as much clerical help as he has, and perhaps more. He is not a Senator for some particular committee or from some particular State, but he is a Senator of the United States. He is as much a Senator for the State of Missouri as he is for the State of Texas.

Mr. REED. I am not trying to get into an argument with the Senator, understand me. I agree with his last statement

that the Senator who is chairman of this committee and a number of the other committees which have just been named by the Senator is a Senator from his State and is also a Senator of the United States, but that is true of every Member of the body—

Mr. HEYBURN. Certainly.

Mr. REED. According to his capacity. Of course there are some men of greater experience, of greater natural ability than others, and they may be more potential; but the Senator from Idaho has expressed an idea that I should like to get his view upon. He stated that if a Senator did not have the chairmanship of a committee, he ought to have all the help that is necessary, or some similar expression.

Mr. HEYBURN. For the work that he has to perform.

Mr. REED. Yes. I agree with the Senator on that point. The very thing that I complain about is that this additional help comes not to a Senator because of the labors which may be actually imposed upon him, but it comes because he happens to be the chairman of a committee. If he does not get the chairmanship of a committee, he does not get the additional help. For instance—not to make it personal at all—the Senator from Idaho is chairman of the Committee on Manufactures. I happen to be an humble member of that committee. I grant fully that the chairman, because he is chairman, perhaps, and perhaps for many other reasons, has a greater burden upon that committee than have I, but the Senator is also a member of several other important committees, and he has a large amount of work assigned to him. He is able to perform that work in part, at least, because as chairman of the Committee on Manufactures he has the command or the direction, at least, of the clerks of that committee, and he uses them as best he is able to use them to assist him in the work which calls to him from other committees. Of that I make no complaint or criticism; but that is a privilege that comes to the chairman of a committee; it does not come to anybody else.

I want to ask the Senator if he does not believe that a committee ought to be appointed to equalize all of these matters, including salaries? We started in discussing merely, as the Senator will remember, the question of differences in salaries; and, as usual, we have gotten a little aside from the question; but the Senator from Idaho has certain clerks in the Manufactures Committee. He may have an expert or two there, but there certainly is an inequality, a difference in the salaries that are paid to men performing exactly the same kind of labor.

Mr. HEYBURN. Mr. President, I will simply say that in the work that has been done and presented to this body from the Committee on Manufactures there has never been any expert called in.

Mr. REED. What are the salaries paid in that committee; does the Senator recall?

Mr. HEYBURN. To whom?

Mr. REED. To the clerks of the Manufactures Committee.

Mr. HEYBURN. I have it right here.

Mr. REED. I would not bother the Senator to look it up.

Mr. WILLIAMS. I have it right here, if the Senator will pardon me:

Clerk to the Committee on Manufactures, \$2,500; assistant clerk, \$1,440; messenger, \$1,440.

Mr. HEYBURN. The Committee on Manufactures has one \$2,500 clerk, one \$1,440 clerk, and a messenger.

Mr. REED. Let me ask the Senator, without making this personal—I am simply trying to get light—does the Senator have in addition to those clerks two other clerks of his own?

Mr. HEYBURN. Do I have what?

Mr. REED. Does the Senator have any additional clerks of his own?

Mr. HEYBURN. No; I have not. When I require additional service, I pay for it myself.

Mr. REED. The three clerks of the Manufactures Committee do your personal work unless you pay for it yourself?

Mr. HEYBURN. My personal work?

Mr. REED. I mean your work in committee.

Mr. HEYBURN. I quit personal work when I came to the Senate. I do my public work here.

Mr. REED. The Senator is—

Mr. HEYBURN. I say that in entire good temper.

Mr. REED. Oh, certainly. When I said "personal work" I meant the work which the Senator performs as a Senator aside from his work in the committee. The clerk of the Senator's committee receives \$2,500. If the Senator were not the chairman of a committee that clerk would receive but \$1,800 a year, if I understand correctly.

Mr. WARREN. Mr. President, I must correct the Senator from Missouri. The sum of \$2,000 a year is the minimum for any Senator's clerk.

Mr. REED. Two thousand dollars. Very well.

Mr. HEYBURN. May I help the Senator out a little?

Mr. REED. Certainly.

Mr. HEYBURN. The clerk the Senator refers to as receiving \$2,500 is Mr. Addison T. Smith. Mr. Smith is not only useful to the committee of which he is clerk, but he is called upon by Senators in connection with legislation affecting their committees, and as a member of the bar of this District. He has been more than 20 years in the service of the committee. He was before that in the other House. He is a man capable of performing the duties of a member of either of these bodies; he is useful not only to the committee or to me, but, I repeat, he is useful to many other Senators who come to him for information and suggestions.

Mr. REED. Mr. President, if the Senator will pardon me just once more, that brings the matter right to the point from which I started, or almost to that point, that if there are men possessed of a certain knowledge and special skill they ought to be so classified. All men possessing that expert knowledge and skill ought to be compensated for it; but, outside of those special instances, it still remains true that one messenger gets \$1,200, another gets \$1,440, and one clerk gets \$1,440, while another gets but \$1,200, and that these inequalities run throughout this bill. I do not believe that the Senator—I know he will state it fairly—will say that these inequalities do not exist to a large extent, that they ought to be remedied, and that equalization ought to result.

Mr. HEYBURN. Does the Senator think that in the case of Mr. Smith there should be a reduction in his salary? Mr. Smith voluntarily, during the ordinary recess of the Senate, when employees are enjoying themselves, as a rule, took charge of the affairs of the investigation of Mr. STEPHENSON at Milwaukee and spent his time there, days and nights, up to midnight very often, in gathering the witnesses, arranging them, and providing for them, so that the work ran like a piece of machinery. There are very few men who can do that kind of work. He did it, as I say, in addition to his duties in connection with the Committee on Manufactures. Would the Senator think that his pay should be reduced at all?

Mr. REED. Mr. President, I have been very clear in my statement that I am not here haggling to reduce the salaries of men below where they ought to be. I said very clearly, perhaps before the Senator came in, that it was not a question with me of trying to cut down the salaries of these employees, but it was a question of giving the same pay for the same kind of work to all men engaged in that same kind of work with the same degree of capacity.

Mr. HEYBURN. Mr. President, I ask the Senator would he give to all other men holding similar positions the same pay, whether they performed the work or not?

Mr. REED. No, Mr. President; I would classify these clerks, and if there was a man possessed of special skill, learning, and ability I would put him in class A, to illustrate.

Mr. HEYBURN. Then what would you do with him after you put him there?

Mr. REED. I would give him a salary commensurate with his duties.

Mr. HEYBURN. What would be his duty after you have placed him in class A? Would he be transferred to some other committee?

Mr. REED. Oh, not necessarily. The Committee on Manufactures, a great committee, might be entitled to a clerk of that kind. That is not difficult to get at; but the Senator is a little aside—he is too logical not to see the point—from the point I am discussing. You can not break down the force of the fact that there are inequalities between men performing the same kind of service by showing that there is some man who does not perform the same kind of service and who is entitled to greater pay. If we have men of special skill, let us so classify them and so pay them. What I complain of is that throughout this bill there is not one illustration, but there are scores of illustrations, of the fact that men who do perform substantially the same service as others do not receive the same pay.

If the inequality exists, whether we can wipe it out absolutely and reach a condition of perfection is not the question; but the question is, Can we improve it? I ask the Senator candidly and fairly if he does not believe that a committee assigned to this work could improve present conditions?

Mr. HEYBURN. Mr. President, conditions shift from day to day. The Senator knows from experience that a period of six months might intervene during which there would be no assigned duty to a committee or to the chairman of a committee, and then again for six weeks there might be some important matter assigned to him as chairman or member of a subcommittee every week; so that I would be curious to know upon what basis the Senator would attempt to equalize conditions.

Mr. REED. Mr. President—

Mr. HEYBURN. Now, just a moment, and I will close; and then the Senator will have free opportunity. I only intervened to make the suggestions I have submitted, because I have sometimes rather chafed under the situation that existed here, where a committee—and I do not intend to be personal in my criticism of it—endowed with the power of reporting favorably or otherwise upon the applications for assistant help by a committee should receive a resolution introduced in this body and bury it. I would rather have them report adversely on it.

In the last session of Congress and in this session I introduced a resolution asking for an additional assistant clerk, but it has not been reported upon; it has been treated with a contempt of inattention that is not becoming in this body. I have frequently intended to call up the resolution and ask that the committee be discharged from its consideration, but I have enough rows on hand and so I have not moved in the matter. They have, however, no right to remain silent, and I do not intend they shall remain silent many days.

The idea that because the chairman of some committee only has a certain amount of business, every other Senator should be cut down to his size is an erroneous view of this thing. All any Senator wants is enough help. No Senator wants to have sitting around him in state and idleness people who have nothing to do—if he does, he is not fit to be in any body of this kind—but he does want enough help to perform the duties that he has to perform, and his judgment ought to count for something in the matter rather than the judgment of a lot of men who do not know anything about it, who do not seek to know, and do not even inquire, but who measure it up by some rule of political graft. I am getting tired of it. I do not consider what they call the patronage of this body as graft, and, so far as I am concerned, I will measure it by the necessities of the occasion. If a committee needs help, so far as I am concerned, that committee should have all the help it wants—and when I use the term "committee," I mean the chairman of the committee, because the chairman of the committee is the committee, so far as the responsibilities of the committee are concerned.

Mr. WILLIAMS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. WILLIAMS. I thought the Senator had concluded.

Mr. HEYBURN. No; the Senator will know when I am through. I will be through when I sit down.

Mr. President, I want to see the rule established here that whenever the chairman of a committee applies for more help he will get it. A Senator, being chairman of a committee, who would apply for help when he did not need it ought to be turned out of this body, but he ought to be present when he was tried; it ought not to be a question to be disposed of in silence behind the door of some committee room, and for that reason I object to the rule suggested by the Senator from Missouri. How can a Senator perform his duties unless he has help enough to do them? I have known men who did not know how to work but were always attempting to criticize the work that other men performed. I have known men who were so lazy by nature that they did nothing themselves, and their greatest discomfort arose out of the fact that other people did work. Now I will sit down.

Mr. WILLIAMS. Mr. President, I had not intended to intrude into this very interesting debate. I agree with the Senator from Missouri [Mr. REED] that there ought to be a committee appointed by the Senate for the purpose of considering and, if possible, decreasing the expenses of the Senate and equalizing the pay of employees to some extent—of course, with due regard to the character of the work to be performed by the employee. I have been drawn into the discussion, however, by rather a vicious attack made by the Senator from Idaho [Mr. HEYBURN] upon the Committee to Audit and Control the Contingent Expenses of the Senate, in which he virtually charges that, for some reason or other, they have not accorded due heed of recognition to the claim which the country has upon him and which he has upon the services of assistants.

The Senator seems to forget that he has made his main argument upon the ground that employees ought not to be paid in proportion to the importance of the committees which they serve as clerks or assistant clerks, but because a man who happens to be chairman of an unimportant committee might have a great deal of other work to do. Mr. President, it is also true that a man who happens to be chairman of no committee at all frequently has a great deal of work to do. His correspondence and his department work are perhaps equal to the similar work of the chairman of a committee; and then when he comes to the work which he must do on a subcommittee of committees

of which he is a member, that work is equal, at any rate in proportion to the number of committees to that assigned to other members of the committee who are chairmen.

The Senator has made this rather uncalled-for attack upon the committee, and it may be due to other Members of the Senate to let the Senate know what assistance the Senator from Idaho already has. The Senator from Idaho, as chairman of the Committee on Manufactures—a committee, I take it, which in itself does not entail much labor—and the Senator himself has rather confessed that what labor was entailed upon him by his senatorial service was entailed upon him as a member of some other committee or simply as a Senator—he has, as chairman of this unimportant committee, first, a clerk at \$2,500—and I believe the clerk of no other committee has any greater salary, except the clerks to the Committees on Appropriations, Finance, and perhaps one or two others of first magnitude, which do a great deal of work and who do committee work, not merely the chairman's work—he has a clerk at \$2,500, then an assistant clerk at \$1,440, and a messenger at \$1,440. One of these last is nearly always a stenographer.

Now, take as a mere illustration, the case of the Senator from Missouri [Mr. REED] or that of the Senator from Oregon [Mr. CHAMBERLAIN]. Each of them has to help him in doing his work only one clerk, who gets \$2,000, and one stenographer, who gets \$1,200; so that there has been no unfair treatment of the Senator from Idaho. He is enjoying—I have not time to calculate it now—the assistance of \$2,880 plus \$2,500 amounting to \$5,380 worth of hired assistance.

Neither one of the two other Senators I have mentioned, and many others, such as the junior Senator from Virginia [Mr. SWANSON], the Senator from West Virginia [Mr. WATSON], and I myself, although some of us are on important committees, which entail a great deal of work, and we have the same work in connection with subcommittees that the Senator from Idaho has, none of us has more than \$2,000 plus \$1,200, which amounts to \$3,200 worth of assistance.

Of course a man may make for himself any amount of work in the world he wants to. I knew a man once, a lawyer in my town, who, with five cases on the docket, could keep himself busy 16 hours a day. He hardly ever had over five cases at a term of court, yet he never seemed up with his work. It depends upon how the man works and upon his ability to focus himself upon his work.

But I did not rise to discuss the general subject. The chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, the Senator from New Jersey [Mr. BRIGGS], is absent. Another member of the committee, the Senator from Arkansas [Mr. CLARKE], is also absent; the Senator from Vermont [Mr. DILLINGHAM] is absent—all seem to be out of the Chamber except me. I rose only to say that I think the attack made upon the committee on the ground that it had been actuated by some desire of doing injustice to the Senator from Idaho or to any other Senator is totally ill placed. The Senator from Kansas [Mr. BRISTOW], another member of the committee, I see is present, and I believe he, with the Senators I have named, and I constitute the full committee.

I am sure that there is no man upon the committee who ever had the slightest idea of considering a proposition of this sort when put to them in any way except upon its merits. The committee came to the conclusion that the Senator from Idaho had already more help than the majority of the Members of the Senate, and therefore was not entitled to any more. We turned down several requests from several other Senators in just the same way and for just the same reason. As usual in the world, it is those who already have too much who cry for more.

The Senator from Idaho says that when any chairman of a committee asks for clerical help he ought to have whatever he asks for. That will not do. The Senator says, in reinforcing his statement, that no Senator who is chairman of a committee would ask for any help that he did not need. Ah, what a man needs is one thing and what a man thinks he needs or fancies he needs is another thing. I take it that no chairman of a committee would ask for anything that he did not think he needed, but that is a different thing from what he really needs, and a man ought to get along, if possible, with what he needs. I dare say if we adopted the rule of giving to every chairman of a committee of this body all the clerical and messenger service that he requested we would soon double the clerical and messenger expenditures of the Senate of the United States. I had the honor not long ago to call the attention of the Senate to the fact that it costs the American people for the Senate and House of Representatives to be waited upon ten times as much at its costs the English people for the House of Lords and the

House of Commons. This disparity is not decreasing, but is increasing.

Now, as to myself, I have simply a clerk and a stenographer. I have no messenger; I have no assistant clerk or any help of that sort. I find that by doing a good deal of the work myself, as we all must do in the long run, for most of it can not be left to clerks and one must do it one's self, my force is not very much overworked, although at times it has to work long hours, but only when I work with them, and that I myself am not very much overworked. I could work more without danger to my health or without any risk of depriving of its necessary attention any other business that called upon me for attention.

Much of our time, of course, is taken up by sitting in the Senate. Lately this has been abused to some extent, because every time a Senator makes a speech it has become a habit for some one to call for a quorum to listen to him. We might be at work in our offices a good deal of the time, and we would be doing much more good than sitting here listening to one another, unless the discussion be upon some subject in which one is especially interested and where he wants to find out something from others to fix his conclusion. Very frequently the question under discussion is one with which one is familiar and about which one has formed his opinion and upon which he knows beforehand how he is going to vote; but still we are compelled to sit here and listen to Senators two, three, and four hours at a time.

I do not think the Senator from Idaho, upon second thought, will assert that he has been just in his criticism of the committee. The committee could not possibly be actuated by any desire to do him an injustice or by any desire to be partial to anybody else over him. It was actuated by the same motive in his case that has actuated it in every other case, when it has received requests of the same character with like result. The recital of the membership of the committee and of the present clerical and messenger assistance enjoyed by the Senator as compared with that enjoyed by other Senators of at least equal ability and capacity for service demonstrate that fact.

Mr. BRISTOW. Supplementary to what has been said by the Senator from Mississippi [Mr. WILLIAMS], I desire to say that the Committee on Manufactures, of which the Senator from Idaho [Mr. HEYBURN] is chairman, has the same number of clerks that the Committee on Commerce has—three—the only difference being that the assistant clerk in the case of the Committee on Commerce gets \$1,800, while what might be termed the assistant clerk of the Committee on Manufactures gets \$1,440. The Committee on Manufactures has the same number of clerks as has the Committee on the District of Columbia.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. I want to use that to illustrate the point I was making, that one of the clerks of the Committee on Manufactures gets \$1,440, while in the case of the Committee on Commerce the assistant clerk gets \$1,800. Do I correctly understand the Senator?

Mr. BRISTOW. Yes.

Mr. REED. There are two important committees, one the Committee on Commerce and the other the Committee on Manufactures, and I happen to be a member of both those committees. Does the Senator know of any reason for that difference in the salary, based upon merit? Let me say to the Senator—he has come in since I began to make my remarks—that I do not rise here to criticize the committee making this report, and I have not criticized them. I am simply urging the equalization of compensation where the service is the same, and upon that point this debate started.

Mr. BRISTOW. I do not think it is practicable to determine with mathematical accuracy what the specific compensation of this clerk or that clerk should be. It seems to me that \$1,800 is not an excessive compensation for the second clerk or the assistant clerk to the Committee on Commerce. I consider that one of the very important committees of the Senate. Take the Committee on Foreign Relations. It has the same number of clerks as has the Committee on Manufactures, of which the Senator from Idaho [Mr. HEYBURN] is the chairman. The assistant clerk of the Committee on Foreign Relations get more pay than does the assistant clerk to the Committee on Manufactures. It would seem to me that that is perfectly proper, because it requires a man of wider experience, at least presumably it does. These committees have been adjusted through the years and years of experience, and I do not think you can pass a general act fixing specific and

definite compensation for the clerks of all committees alike. I do not think it could be made to apply with exact justice and equity.

The Committee on Contingent Expenses in passing upon the requests coming before it does the best it can to treat every Senator fairly and generously, as it thinks it is justified, considering the expenditures of the Senate and the amount of work that is to be done. Of course it is very difficult to determine with exact accuracy what ought to be done. We can only do the best we can with the information we have.

I am sorry the chairman of the committee is not here, but in justice to the committee that has passed on a number of such requests during this session of Congress, I want to say that we have considered the request of the Senator from Idaho [Mr. HEYBURN] and have not passed favorably upon his request for a fourth clerk, because we did not think it was justified, considering the clerks that were assigned to other committees.

Mr. HEYBURN. Mr. President, I would say it would result in this: That if we have not clerical force enough to do the work, we will not take the work; in other words, one is not compelled to accept an assignment to duty as a subcommittee; and when things pile up beyond the possibility of reporting on them, it will result in Senators refusing to act on subcommittees; that is all. I am only about five assignments behind now; I hope to catch up this week if no more will come to me, but I certainly am not going to take work that I can not perform for want of clerical assistance.

Mr. BAILEY. Mr. President, I am not entirely certain that it is a wise rule to allow one Senator the assistance of three people and allow other Senators the assistance of only two. The only explanation, perhaps I ought to say the only defense, of that is that, as the Senators grow in length of service, they have come into this additional assistance, and I believe that nearly any Senator who remains here longer than one term will find that the demands on his time increase with the length of his service. The matter equalizes itself at last, because the Senator who remains finally has the assistance which these increased demands upon his time and his attention make necessary. But I am not sure that that is a sufficient reason, and I would be willing to give to each Senator as much clerical assistance as may be allowed to any other Senator. But while I am in some doubt about that I am in no doubt whatever that there is an entirely sufficient reason for what appear to be the discrepancies in the salaries, and I do not predicate that explanation upon the fact that one clerk may be more important than another. We understand that the committee chairmanships come to Senators according to the length of their service; and it is fair to say that the clerk of a Senator serves somewhat in proportion to the length of the Senator's service; and if the United States does not increase the pay of a long-time and faithful employee over and above the pay of a beginner, it is the only institution in the land that fails to observe that just and proper rule. You go into a storehouse and you find several clerks at the same counter. One, having been there a long time and thus better qualified to do his employer's work, will be receiving a higher salary than a clerk of equal character and equal intelligence, but less experienced.

I happen to know that the clerk to the Committee on Additional Accommodations for the Library has been here for nearly 20 years, first in the other House and then in the Senate, and I think I pay him no compliment above what he deserves when I say that he possesses a capacity equal to some Senators and some Representatives, and if a 20 years' service does not earn for him the moderate addition of \$250 as against a clerk or secretary in the first year or two of his service, then we fail to observe the rule that obtains in all other places.

Mr. WILLIAMS. As an illustration as to what the Senator said of the difference in value of clerkships of the various committees, the Senator will remember an illustration in the House of Representatives which proves that sometimes a man becomes indispensable as a clerk to a certain committee. The Senator will recall that the clerk of the Committee on Appropriations of the House of Representatives has served there since before the Senator and I entered the other House, has served under both parties, neither one thinking that they could get along without him. Of course, a man of that kind deserves and ought to have very much higher pay than a man who serves as clerk of a committee whose duties almost anybody might be capable of performing.

Mr. BAILEY. The Senator is entirely right about that, and I fully agree with him. But in what I am saying I am leaving out of account the important work of a committee, and I am considering the matter as it relates to the individual work of a Senator. The first clerk provided for here is a clerk of a

committee that never meets, but that clerk does his work, and he does it with unusual fidelity and intelligence. I think the increase in his salary since he has been an employee of the Senate has not been greater proportionately than the increase which has come to the Senators themselves in their salaries. I believe that it works itself out justly and fairly in the end, unless it be, indeed, that a Senator employs a clerk or a secretary, and finds him unsatisfactory and dismisses him, or unless it might happen to be that some Senator uses his clerkship or secretary's place as political patronage, and passes it around among his deserving supporters. In those cases, of course, the clerks or secretaries do not get the benefit of the increase which is predicated upon supposed length of service. I believe that the man who has been here for 20 years is entitled to a little more than the man who has been here 10 years, because he is undoubtedly better able to do the work; he can render better service to the Senator himself; and I think a secretary who has been here 10 years is entitled to something more than a secretary who has been here only two years, because he can undoubtedly render better service.

Mr. WILLIAMS. If the Senator will permit me, in enforcement of what I have said, the clerk to whom the Senator has referred, has been here 20 years in the public service and has fitted himself for his place by long time, and yet he gets only \$2,220, whereas the clerk of the Committee on Manufactures gets \$2,500. The Committee on Additional Accommodations for the Library has no assistant clerk at all, whereas the Committee on Manufactures has an assistant clerk at \$1,440. They each have a messenger at \$1,440.

Mr. BAILEY. Mr. President, I want to be entirely frank with the Senate. I have three persons assisting me, and I have never inquired exactly how the provision was made, and I hope the chairman of the committee has not omitted the provision to pay them, because they all earn it. I know that the clerk of the Committee on Manufactures receives \$250 more than the clerk of the Committee on Additional Accommodations for the Library, but I can not believe that any clerk who is merely the clerk of a Senator in the Chamber earns more than the clerk to the Committee on Additional Accommodations for the Library.

But I did not arise to institute a comparison of that kind. I only rose to suggest that I believe there is a basis for a difference in the salaries of the clerks, because it will be found upon examination that it is graduated according to a presumed length of service; and I believe the better rule is to let these clerks come into an increase by a length of service here as we do in almost every other relation of our lives.

Mr. REED. Mr. President, just a word. The Senator from Texas discusses this matter in a very fair way, and there is no quarrel between his ideas and mine, in the main. I have not urged that there should not be a difference in salaries of employees of the Senate. I have urged that there should be no difference in salary where there is the same character of service rendered and the same amount of service rendered. I agree with the Senator from Texas that if a clerk remains at his post of duty for many years and acquires special skill, in fixing his salary his increased usefulness and his fidelity should be considered. I said that early in my remarks. I have not varied from it.

I have said from the first that if there are men employed by committees in positions that require special skill, and those men have that skill, they should be paid for it. The Senator from Texas dropped a remark, however, which I think is explanatory of this situation, and that was that these clerks were presumed to have greater experience, as I understood it, because they are the clerks of the chairmen of committees, which chairmen would be men of greater experience or they would not have the positions.

Mr. BAILEY. Not greater experience, but a longer time of service. These committee chairmanships go by seniority. I have never had very much patience with that rule, but it is observed. For instance, if the Senator will permit me—

Mr. REED. Certainly.

Mr. BAILEY. As the Senators holding the minority chairmanships pass out for one reason or another, the Senators next in order of service step up, and the chairmanships are not presumed to mean larger experience except where a larger experience must be presumed from a longer service.

Mr. REED. Yes; I understand that, and there is no difference between us.

The question, then, resolves itself into this: The chairman of a committee gets to be chairman because of length of service. Now, his clerk is presumed—because he is the clerk of a man of longer experience—to be a clerk of longer experience.

That is a presumption. But I am afraid that it is a presumption that is not always based on fact. The difference in salary ought not to be determined upon the presumption following merely from the fact that one man works under another, but it ought to be a fact itself.

I take it there can be no difference among Senators in regard to this view: First, if a man is required to possess special skill and knowledge, he ought to receive more pay than a man who is not required to possess it; and, second, it would be entirely proper to recognize length of service in fixing salaries, because that would have a tendency to encourage men to hold these positions.

That brings me back to the point I was discussing an hour ago: That these positions ought to be classified; and if there is a committee that requires a skilled man for its clerk, that fact ought to be ascertained, and it can be ascertained, and a salary ought to be paid which would compensate the individual holding the place for his special skill. When you get outside of those positions requiring special skill, then the salaries ought to be fixed according to the value of the work. There ought to be no question about that among Senators. I insist that these inequalities stand out on the face of this bill.

The Senator from Texas spoke of the long length of service of the clerk of his committee. Well and good; he ought to be paid for that. I agree to that. But look at the bill as we go along. Here is a messenger to the Committee on Coast and Insular Surveys. That messenger gets \$1,440 a year. Is that based upon length of service or special skill? There is certainly nothing to show it. The messenger to the Committee on Coast Defenses gets \$1,200 a year. Why should there be that difference? The assistant clerk to the Committee on Conservation of National Resources gets only \$1,200 a year. The messenger for that committee, ranking below the assistant clerk, gets \$1,440 a year. The clerk to the Committee to Examine the Several Branches of the Civil Service gets \$2,220, and the messenger to that committee gets \$1,440.

Now, Mr. President, I am not going to weary the Senate by going through this bill, but it is just as plain as anything can be that, taking the bill by and large, these salaries have not been fixed with reference to length of service. They have not been fixed with reference to special ability or special fitness. We have crystallized in this bill the haphazard legislation that has gone through the Senate from time to time, and we are perpetuating here the inequalities which arise from the fact that one man in introducing a resolution asked for a certain salary to be fixed to a certain position then to be created and another man introducing a resolution to create a similar position fixed a different salary.

I take it that the Senate is in no humor to undertake to thrash this matter out at this time. What I have said has been with a view of challenging, if I could, attention to these inequalities and with a view to introducing a resolution to create a committee and direct that committee to report a bill that will, as far as possible, equalize the present inequalities.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued on page 3, line 20.

The next amendment of the Committee on Appropriations was, on page 3, in line 21, before the word "clerk," to insert "messenger, \$1,200"; in line 22, before the word "messenger," to insert "assistant clerk, \$1,200"; in line 25, before the word "clerk," to insert "messenger, \$1,200"; on page 4, line 1, after the word "messenger," to strike out "\$900" and insert "\$1,200"; in line 5, before the word "clerk" where it occurs the second time, to insert "messenger, \$1,200"; in line 9, before the word "clerk," to insert "messenger, \$1,200"; in line 11, before the word "messenger," to insert "assistant clerk, \$1,200"; in line 15, before the word "clerk," to insert "messenger, \$1,200"; in line 21, before the word "clerk," to insert "messenger, \$1,200"; on page 5, line 4, before the word "clerk," to insert "clerk to the Committee on Expenditures in the Department of Commerce and Labor, \$2,220; messenger, \$1,440"; in line 6, before the word "clerk," to insert "messenger, \$1,200"; in line 8, before the word "messenger," to insert "assistant clerk, \$1,440"; in line 11, before the word "clerk," to insert "messenger, \$1,200"; in line 13, before the word "clerk," to insert "messenger, \$1,200"; in line 16, before the word "clerk," to insert "messenger, \$1,200"; in line 18, before the word "clerk," to insert "messenger, \$1,200"; in line 21, before the word "messenger," to insert "assistant clerk, \$2,220; assistant clerk, \$1,600; assistant clerk, \$1,440"; on page 6, line 8, before the word "clerk," to insert "messenger, \$1,440"; in line 11, before the word "clerk," to insert "messenger, \$1,200"; in line 13, before the word "clerk," to insert

"messenger, \$1,200"; in line 15, before the word "messenger," to strike out "assistant clerk, \$1,800" and insert "two assistant clerks, at \$1,800 each"; in line 19, before the word "clerk," to insert "messenger, \$1,200"; in line 22, before the word "messenger," to strike out "assistant clerk, \$1,800" and insert "two assistant clerks, at \$1,800 each"; in line 24, before the word "clerk," to strike out "messenger" and insert "assistant clerk, \$1,440; messenger, \$1,200"; on page 7, line 2, after the word "messenger," to strike out "\$900" and insert "\$1,200"; in line 4, before the word "clerk," to insert "messenger, \$1,200"; in line 7, before the word "clerk," to insert "clerk to the Committee on National Banks, \$2,220; messenger, \$1,440"; in line 8, before the word "clerk," to insert "messenger, \$1,440"; in line 13, before the word "clerk," to insert "messenger, \$1,200"; in line 14, before the word "assistant," to strike out "two" and insert "three"; on page 8, line 3, before the word "assistant," to insert "assistant clerk, \$1,800"; in line 4, before the word "clerk," to insert "messenger, \$1,440"; and in line 18, after the words "in all," to strike out "\$318,640" and insert "\$370,940," so as to make the clause read:

Clerks and messengers to committees: Clerk to the Committee on Additional Accommodations for the Library of Congress, \$2,220; messenger, \$1,440; clerk to the Committee on Agriculture and Forestry, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; clerk to the Committee on Appropriations, \$4,000, two assistant clerks, at \$2,500 each, two assistant clerks, at \$1,440 each, messenger, \$1,440; laborer, \$720; clerk to the Committee to Audit and Control the Contingent Expenses of the Senate, \$2,500; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Canadian Relations, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on the Census, \$2,220; assistant clerk, \$1,200; messenger, \$1,440; clerk to the Committee on Civil Service and Retrenchment, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Customs, \$2,500; assistant clerk, \$2,000; assistant clerk \$1,440; messenger, \$1,200; clerk to the Committee on Coast and Insular Survey, \$2,220; messenger, \$1,440; clerk to the Committee on Coast Defenses, \$2,220; assistant clerk, \$1,440; messenger, \$1,200; clerk to the Committee on Commerce, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; clerk to the Conference Minority of the Senate, \$2,220; assistant clerk, \$1,800; messenger, \$1,200; clerk to the Committee on Conservation of National Resources, \$2,220; assistant clerk, \$1,200; messenger, \$1,440; clerk to the Committee on Corporations Organized in the District of Columbia, \$2,220; messenger, \$1,440; clerk to the Committee on Cuban Relations, \$2,220; assistant clerk, \$1,440; messenger, \$1,200; clerk to the Committee on Disposition of Useless Papers in the Executive Departments, \$2,220; messenger, \$1,440; clerk to the Committee on the District of Columbia, \$2,500; assistant clerk, \$1,800; messenger, \$1,440; clerk to the Committee on Education and Labor, \$2,220; assistant clerk, \$1,440; messenger, \$1,200; clerk to the Committee on Engrossed Bills, \$2,220; messenger, \$1,440; clerk to the Committee on Enrolled Bills, \$2,220; assistant clerk, \$1,440; clerk to the Committee to Examine the Several Branches of the Civil Service, \$2,220; messenger, \$1,440; clerk to the Committee on Expenditures in the Department of Agriculture, \$2,220; messenger, \$1,440; clerk to the Committee on Expenditures in the Department of Commerce and Labor, \$2,220; messenger, \$1,440; clerk to the Committee on Expenditures in the Interior Department, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Expenditures in the Department of Justice, \$2,220; assistant clerk, \$1,440; messenger, \$1,440; clerk to the Committee on Expenditures in the Navy Department, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Expenditures in the Post Office Department, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Expenditures in the Department of State, \$2,220; messenger, \$1,440; clerk to the Committee on Expenditures in the Treasury Department, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Expenditures in the War Department, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk and stenographer to the Committee on Finance, \$3,000; assistant clerk, \$2,220; assistant clerk, \$1,600; assistant clerk, \$1,440; messenger, \$1,440; clerk to the Committee on Fisheries, \$2,220; assistant clerk, \$1,440; messenger, \$1,440; clerk to the Committee on the Five Civilized Tribes of Indians, \$2,220; messenger, \$1,440; clerk to the Committee on Foreign Relations, \$2,500; assistant clerk, \$2,220; messenger, \$1,440; clerk to the Committee on Forest Reservations and the Protection of Game, \$2,220; messenger, \$1,440; clerk to the Committee on the Geological Survey, \$2,220; messenger, \$1,440; clerk to the Committee on Immigration, \$2,220; assistant clerk, \$1,800; messenger, \$1,440; clerk to the Committee on Indian Affairs, \$2,500; assistant clerk, \$1,440; messenger, \$1,440; clerk to the Committee on Indian Depredations, \$2,220; messenger, \$1,440; clerk to the Committee on Industrial Expositions, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Intercoastal Canals, \$2,220; assistant clerk, \$1,440; messenger, \$1,200; clerk to the Committee on Interstate Commerce, \$2,500; two assistant clerks, at \$1,800 each, messenger, \$1,440; clerk to the Committee to Investigate Trespassers on Indian Lands, \$2,220; messenger, \$1,440; clerk to the Committee on Irrigation and Reclamation of Arid Lands, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on the Judiciary, \$2,500; assistant clerk, \$2,220; two assistant clerks, at \$1,800 each, messenger, \$1,440; clerk to the Joint Committee on the Library, \$2,500; assistant clerk, \$1,440; messenger, \$1,200; clerk to the Committee on Manufactures, \$2,500; assistant clerk, \$1,440; messenger, \$1,440; clerk to the Committee on Military Affairs, \$2,500; assistant clerk, \$2,220; assistant clerk, \$1,440; messenger, \$1,200; clerk to the Committee on Mines and Mining, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on the Mississippi River and its Tributaries, \$2,220; messenger, \$1,440; clerk to the Committee on National Banks, \$2,220; messenger, \$1,440; clerk to the Committee on Naval Affairs, \$2,500; assistant clerk, \$1,440; messenger, \$1,440; clerk to the Committee on Pacific Islands and Porto Rico, \$2,220; assistant clerk, \$1,800; messenger, \$1,440; clerk to the Committee on Pacific Railroads, \$2,220; messenger, \$1,440; clerk to the Committee on Patents, \$2,220; messenger, \$1,440; messenger, \$1,200; clerk to the Committee on Pensions, \$2,500; assistant clerk, \$1,800; three assistant clerks, at \$1,440 each, messenger, \$1,440; clerk to the Committee on the Philippines, \$2,220; assistant clerk, \$1,800; messenger, \$1,440; clerk to the Committee on Post Offices and Post Roads, \$2,500; three assistant clerks, at \$1,440 each, messenger, \$1,440; clerk of printing records, \$2,220; assistant clerk, \$1,800; messenger, \$1,440; clerk to

the Committee on Private Land Claims, \$2,220, assistant clerk, \$1,800; clerk to the Committee on Privileges and Elections, \$2,220, assistant clerk, \$1,440, messenger, \$1,440; clerk to the Committee on Public Buildings and Grounds, \$2,500, assistant clerk, \$1,440, messenger, \$1,440; clerk to the Committee on Public Health and National Quarantine, \$2,220, assistant clerk, \$1,440; clerk to the Committee on Public Lands, \$2,500, assistant clerk, \$1,800, assistant clerk, \$1,440, messenger, \$1,440; clerk to the Committee on Railroads, \$2,220, messenger, \$1,440; clerk to the Committee on Revolutionary Claims, \$2,220, messenger, \$1,440; clerk to the Committee on Rules, \$2,220, assistant clerk, \$1,800, messenger, \$1,440; clerk to the Committee on Standards, Weights, and Measures, \$2,220, messenger, \$1,440; clerk to the Committee on Territories, \$2,220, assistant clerk, \$1,440, messenger, \$1,440; clerk to the Committee on Transportation and Sale of Meat Products, \$2,220, messenger, \$1,440; clerk to the Committee on Transportation Routes to the Seaboard, \$2,220, messenger, \$1,440; clerk to the Committee on the University of the United States, \$2,220, messenger, \$1,440; clerk to the Committee on Woman Suffrage, \$2,220, messenger, \$1,440; in all, \$370,940.

The amendment was agreed to.

The next amendment was, on page 8, line 22, before the words "Sergeant at Arms," to strike out "clerk to" and insert "Assistant"; in line 25, before the word "messengers," to strike out "forty-seven" and insert "thirty-seven"; on page 9, line 1, after the word "each," to insert "messenger at card door, \$1,600"; in line 4, after the word "storekeeper," to strike out "\$1,800" and insert "\$2,220"; in line 7, after the word "each," to strike out "two skilled laborers at \$900 each" and insert "skilled laborer, \$900"; in line 13, after the sum "\$1,400," to strike out "two laborers, at \$840 each," and insert "laborer, \$840"; in line 14, before the word "laborers," to strike out "thirty" and insert "twenty-seven"; and in line 16, after the words "in all," to strike out "\$148,884" and insert "\$132,604," so as to make the clause read:

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, \$6,500; horse and wagon for his use, \$420, or so much thereof as may be necessary; Assistant Sergeant at Arms, \$2,500; assistant doorkeeper, \$2,592; acting assistant doorkeeper, \$2,592; 4 messengers, acting as assistant doorkeepers, at \$1,800 each; 37 messengers, at \$1,440 each; 2 messengers on the floor of the Senate, at \$2,000 each; messenger at card door, \$1,600; clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the official reporters, \$2,000; storekeeper, \$2,220; upholsterer and locksmith, \$1,440; cabinet-maker, \$1,200; 3 carpenters, at \$1,080 each; janitor, \$1,200; 4 skilled laborers, at \$1,000 each; skilled laborer, \$900; laborer in charge of private passage, \$840; 3 female attendants in charge of ladies' retiring room, at \$720 each; chief telephone operator, \$1,200; 2 telephone operators, at \$900 each; night telephone operator, \$720; telephone page, \$720; superintendent of press gallery, \$1,800; assistant superintendent of press gallery, \$1,400; laborer, \$840; 27 laborers, at \$720 each; 16 pages for the Senate Chamber, at the rate of \$2.50 per day each during the session, \$4,800; in all, \$132,604.

The amendment was agreed to.

The next amendment was, on page 9, line 24, before the word "messengers," to strike out "three" and insert "two," and on page 10, line 1, after the words "in all," to strike out "\$14,700" and insert "\$13,500," so as to make the clause read:

For the following for Senate Office Building under the Sergeant at Arms, namely: Stenographer in charge of furniture accounts and keeper of furniture records, \$1,200; 2 messengers, at \$1,440 each; attendant in charge of bathing rooms, \$1,800; 2 attendants in bathing rooms, at \$720 each; 3 attendants to women's toilet rooms, at \$720 each; janitor for bathing rooms, \$720; 2 messengers, acting as mail carriers, at \$1,200 each; and messenger for service to the press correspondents, \$900; in all \$13,500.

The amendment was agreed to.

The next amendment was, on page 10, line 4, before the word "privates," to strike out "seven" and insert "sixteen," and in line 5, after the sum "\$1,200," to strike out "\$8,550" and insert "\$18,000," so as to make the clause read:

For police force for Senate Office Building under the Sergeant at Arms, namely: For 16 privates, at \$1,050 each; 1 special officer, \$1,200; \$18,000.

The amendment was agreed to.

The next amendment was, on page 10, line 8, before the words "mail carriers," to strike out "seven" and insert "six"; in line 9, before the words "riding pages," to strike out "four" and insert "three"; and, in line 10, after the words "in all," to strike out "\$17,300" and insert "\$15,187.50," so as to make the clause read:

Post office: Postmaster, \$2,250; chief clerk, \$1,800 (deficiency act July 21, 1911); 6 mail carriers and 1 wagon master, at \$1,200 each; 3 riding pages, at \$912.50 each; in all, \$15,187.50.

The amendment was agreed to.

The next amendment was, on page 10, line 12, before the word "folders," to strike out "nine" and insert "six"; in line 13, before the word "folders," to strike out "fourteen" and insert "eight"; in the same line, after the word "each," to strike out "page, \$600," and in the same line, after the words "in all," to strike out "\$25,360" and insert "\$16,720," so as to make the clause read:

Folding room: Assistant, \$1,400; clerk, \$1,200; foreman, \$1,400; 6 folders, at \$1,000 each; 8 folders, at \$840 each; in all, \$16,720.

The amendment was agreed to.

The reading of the bill was continued to line 9, on page 11.

Mr. REED. I move to strike out the figures "1,200" in the ninth line, on page 11, and to insert the figures "1,800."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 11, line 9, after the dollar mark, strike out "1,200" and in lieu insert "1,800," so as to read:

Stenographers to Senators: For 22 stenographers to Senators who are not chairmen of committees, and 3 stenographers to the chairmen of the three junior minority committees, at \$1,800 each.

Mr. WARREN. It was the unanimous-consent agreement of the Senate that we should first consider the committee amendments before other amendments were to be offered.

The PRESIDENT pro tempore. The Chair inadvertently forgot that. The amendment will be reserved until after the committee amendments have been acted on.

Mr. REED. Did I understand that there has been a unanimous-consent agreement of that kind?

The PRESIDENT pro tempore. There was when the bill was taken up. The unanimous-consent request was that the bill should be read for amendment, that the committee amendments should first be acted on, and then other amendments would be in order. That was the request submitted to the Senate.

Mr. REED. I beg pardon of the Senate. I did not know that that was the unanimous-consent agreement.

Mr. WARREN. I will say to the Senator the usual course is to go through with the bill as we are doing, and certain amendments will then, perhaps, be offered by the committee, and following those the bill will be open to amendments offered on the floor.

The PRESIDENT pro tempore. The Chair will state that where there is a Senate amendment an amendment could be offered at the time.

Mr. WARREN. Oh, yes.

The PRESIDENT pro tempore. An amendment to the amendment.

Mr. MARTINE of New Jersey. Do I understand that it is in order for me to offer an amendment now?

The PRESIDENT pro tempore. No; the Chair is constrained to answer in the negative because it is not an amendment we are now upon. If there were a committee amendment pending, an amendment by the Senator would be in order to that amendment, but not an independent amendment, and there is now before the Senate no amendment.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 11, line 12, after the word "including," to strike out "\$5,000" and insert "\$6,000"; and in line 13, after the word "Senate," to strike out "\$16,625" and insert "\$18,125," so as to make the clause read:

Contingent expenses, namely: For stationery and newspapers for Senators and the President of the Senate, including \$6,000 for stationery for committees and officers of the Senate, \$18,125.

Mr. WILLIAMS. I wish to ask the Senator in charge of the bill about that item "for stationery and newspapers for Senators and the President of the Senate." Are there really any newspapers that are bought by the Senate for Senators?

Mr. WARREN. That is the old language; and if a Senator chooses to have newspapers charged to his regular allowance of \$120, it may be done.

Mr. WILLIAMS. But it never is done in any case now.

Mr. WARREN. Hardly ever; but the Senator knows that every six months settlement is made with each Senator as to his stationery account.

Mr. WILLIAMS. Yes.

Mr. WARREN. If he has taken any newspapers, they can be charged to him. Otherwise, the money is handed him if he has not drawn the stationery.

Mr. WILLIAMS. I would suggest that the chairman of the committee offer an amendment striking out the words "and newspapers," because it leads to a good deal of confusion in the public mind. A great many people in the United States think that payment is made out of the contingent fund for the newspapers Senators read. It is little things like these—little mistakes for the most part—that prejudice the public mind, when handled with a view and purpose of creating prejudice. People see that sort of thing repeated in the newspapers and they do not know any better.

Mr. WARREN. I will say to the Senator that that is in the main part of the bill. I shall not object if the Senator offers the amendment when we get to the matter of receiving amendments. I shall not oppose it.

Mr. WILLIAMS. I was going to suggest that the chairman of the committee offer it. I will do it, though, later if you say so.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 11, line 22, after the word "thousand," to strike out "\$2,000" and insert "\$8,000," so as to make the clause read:

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$8,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 22, to insert:

For fuel, oil, cotton waste, and advertising, for the heating apparatus, exclusive of labor, \$5,000.

The amendment was agreed to.

The next amendment was, on page 11, line 25, after the word "furniture," to strike out "\$5,000" and insert "\$8,500," so as to make the clause read:

For purchase of furniture, \$8,500.

The amendment was agreed to.

The next amendment was, on page 12, line 2, after the word "laborer," to strike out "\$2,000" and insert "\$3,000," so as to make the clause read:

For materials for furniture and repairs of same, exclusive of labor, \$3,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 6, to insert:

For rent of warehouse for storage of public documents for the Senate, \$3,600, to be immediately available, and authority is hereby given to use any part or all of said sum for moving documents contained in said warehouse to buildings owned by the Government.

Mr. WILLIAMS. Mr. President, I am opposed to that amendment upon the ground that it has a tendency to delay and postpone the building of a public archives building, which shall be fireproof and where Government documents and archives of every sort shall be stored. I think this has the effect of inclining people to delay still further about the building, which we ought to have.

In addition to that I want to say a few words generally about renting buildings in Washington. There is more or less of something suspicious about it. I remember when we built the Agriculture Department Building. We were going to get rid of an immense amount of annual rental paid by the Government in the city of Washington when we did it. The Forestry Service, I believe, and several other bureaus of the Agriculture Department are still renting premises down town.

Earlier than that we built the new Post Office Building, and the old Post Office Building was given up to the Interior Department, right opposite the old Patent Office Building, and in spite of that the Interior Department is still renting buildings everywhere. The Judiciary Department is renting them.

I think there ought to be a commission of Senators and Representatives appointed at some time—I will not offer it now on this bill, of course—for the purpose of inquiring into the various contracts of rental by the Government in the city of Washington, to find out not only what departments and what bureaus have rented the premises, but what particular flesh-and-blood man, representing the Government, made the actual contract, and how the rentals that are paid by the Government compare with similar rentals of equal accommodations rented by other people.

I do not know that there is anything wrong, but I do know that rumors are afloat all the time about it, and that it is common talk that the Government pays very much more for what it rents in the city of Washington than other people have paid for the same premises who had them previously.

But in connection with this particular question I see an item just following concerning which I wish to ask the Senator from Wyoming. What does this mean?

For miscellaneous items on account of the Maltby Building.

Mr. WARREN. Will the Senator allow me to allude to his remarks as to the rental first?

Mr. WILLIAMS. Yes.

Mr. WARREN. I agree perfectly with the Senator that we ought to build our own buildings instead of renting them. The Maltby Building was one of the purchases that the Government made to avoid renting. I do not believe it was a very fortunate purchase; but we have had it to care for, and as circumstances have changed from year to year as to the uses that we have put it to we have each year provided for it in a lump sum, as we are doing this year. The House, according to information I get, left it out because they were under the impression that we had moved everything out and into the new Office Building, but that is not the fact. The building is being used, and quite a large portion of it, at the present time. This provides for the elevator men and the various expenses of conducting the business.

Mr. WILLIAMS. Who is using it, and how is it used?

Mr. WARREN. I have not the memorandum at hand, but there are several uses made of it. For instance, a portion of the Census Bureau is there. There was a very large portion of it used for a long time by the Immigration Commission. There is a portion of it being used by the statistician who is in the employ really of the Finance Committee. There are various employments for it. I will say to the Senator that the subcommittee was very careful to inquire of the Sergeant at Arms, the Secretary of the Senate, and the Superintendent of the Capitol about the matter, as to how much room we could possibly get if we moved these documents into it. But if we did that we would have to strengthen it, and we found that there were those in the building using so much of it that we could not obtain more than the two lower floors at the present time.

Mr. WILLIAMS. Is it used to any extent by the Senate or by Senators now?

Mr. WARREN. It is used to some extent. The chairman of the Committee on Pensions can inform me, but I think there is a room or two used by the Committee on Pensions. Am I right about that?

Mr. McCUMBER. Yes.

Mr. WILLIAMS. We paid, if my memory serves me correctly, something like two and a half millions of dollars for offices for 92 men. That was the number of Senators we had at the time we built the Office Building. It is an enormous building, covering a whole square, capacious, roomy, and the rooms are numerous; and now to have to confess that in spite of that expenditure the Senate is compelled to find partially for its agencies rooms elsewhere seems to me to be rather humiliating.

Mr. WARREN. Mr. President—

Mr. WILLIAMS. And that is especially the case when one takes into account the manner in which a part of the Senate Office Building is now occupied.

Mr. WARREN. Let me say to the Senator that it was the original intention to move the documents into a large portion or all of the first floor of the Office Building. The construction was provided for accordingly, with steel beams underneath. The desire of Senators to have two rooms and then three rooms and sometimes four rooms has been so all-present and pressing that it seems the subcommittee of the Committee on Rules has consented to the arrangement, and we are left with only a small portion of room there for the folding rooms, and we have not space in which to put the documents that are now in storage in the large stable building. Furthermore, on looking the matter up with the Superintendent of the Capitol and the Sergeant at Arms, I find there has been very serious objection on the part of Senators who occupy that building to having the documents stored therein; that it would be insanitary and unhealthful, and for that reason we still have to provide for the storage of these documents.

The Senator will notice that the amendment which he read contains a provision for moving the documents. A year ago the chairman of the Committee on Appropriations was very insistent that something should be done, and therefore that language was put in. The annual rental is \$3,600. It was put in there so that the removal could be made, but the protests of Senators have been such that it has not been done.

This year we speculated on it and asked the architect of the Capitol there to see whether we could strengthen the Maltby Building, which is notoriously weak and unsafe, and we could then accommodate these documents. We were informed by the Sergeant at Arms and by the Superintendent of the Capitol that while we could strengthen that building and store some of those documents, even with all the vacant room in the Office Building and with all we can spare in the Maltby Building we still could not take care of more than one-half of the documents that are now in storage down here in the building, something like 70 by 250 feet in size and extending from 8 to 16 feet high. The documents are there at the disposal of Senators and of the officers of the Senate.

Mr. WILLIAMS. Mr. President, if I understand the mapping of the situation now, it is this: We built a magnificent marble palace, which is a grace to the Capital and would be an ornament to any city in the world—a beautiful thing. It adds to the life of the Nation as all things of beauty do. We spent two and a half million dollars for it. We did it because the Maltby Building was "unsafe," and upon the ground that it was so heavily stored with documents and books that it was in danger of tumbling down. The documents and books are still in the Maltby Building.

Mr. WARREN. No; the books and documents are in a very large building, formerly a car stable, and not in the Maltby Building.

Mr. WILLIAMS. I thought the Senator said a great many of them were there yet.

Mr. WARREN. No; I said we were figuring upon the proposition to store a large quantity of them there, but the building was too weak without strengthening, and finally we discovered it could only take care of a small portion of the documents and we would still have to rent.

Mr. WILLIAMS. I understand now.

Now, the second position in the topography of the situation is that, notwithstanding the fact that we have the most magnificent office building in the world—Venice in all her wealth and Rome in all her glory never had anything approaching it—very large and with every convenience—we are still compelled to use the Maltby Building for something. We have never been able to sell it and put the money in the Treasury and get rid of it in some way or other.

Mr. WARREN. May I ask the Senator from Rhode Island if the Maltby Building is included in the real estate that it is expected to buy and use for the purpose of improving the ground between the Peace Monument and the Union Station?

Mr. WETMORE. It is included in one of the two squares that have recently been condemned by the United States Government under a law that provides for taking in a certain number of squares from the Union Station to the southern boundary of B Street, and which contemplates finally the acquiring of all those squares between the Union Station and the Capitol Grounds.

Mr. WILLIAMS. How many squares were included by that law? I have forgotten.

Mr. WETMORE. I do not recall the exact number, but I think there were 12 or 13.

Mr. WILLIAMS. Twelve, I think.

That brings me to another matter that looks to me as if the real estate interests of Washington had something to do with it. When that bill was passed, authorizing somebody to condemn those 12 or 13 squares, it was my own fault that I did not understand the proposition fully, as I was in the other House at the time. I heard others also say they did not understand it fully; we ought to have kept up with the public business; but I understood—I thought—the proposition was to condemn a little land right around the front of the Union Station for a Union Station park. But it turned out afterwards to be a proposition to condemn 12 squares, all, with the exception of 3 of them, compactly built, with expensive houses, running all the way down from the Union Depot to the Peace Monument, taking in the Maltby Building—Government property which has got to be thrown away, for it can never be sold now—all for the purpose of creating a greenery between the Capitol Grounds and the Union Station grounds, in the city of America which has the most bountiful supply of parks of any other city that I know of, here or abroad, right in the neighborhood of a great park, and a beautiful one at that—the Capitol. It not only turns out that we never can sell the Maltby Building, and thereby get any money to put in the Treasury, but we have deliberately authorized ourselves to condemn it for park purposes.

Then, more wondrous still, it turns out that nothing can be stored in the Senate Office Building, because "Senators complain that documents and books are insanitary and unhealthy." Why, Mr. President, if books had been unhealthy and insanitary this country would have ceased to enjoy the benefit of my constructive statesmanship many and many a year ago. [Laughter.] My whole house is full of them; nearly every student's house is full of them; nearly every college professor's house in the country is full of them, and that class live longer than any other class of people. That is one reason why we can not make more useful this two-and-a-half-million-dollar investment for offices for 96 men.

There is another reason which a Senator informs me of, and that is that Senators, "not being satisfied with two rooms, wanted three; some of them wanted four, and some of them wanted five." Simply because they "wanted them," I suppose they had to have them. But there is another reason yet. About half of one floor of the Office Building is filled with utterly useless bath arrangements. There is not a Senator here who wants the public to believe that he does the washing of his person at the public expense. It seems to me absurd and foolish. There is not a Senator who saves \$10 a year out of all of that. Big graft is wicked; little graft is stupid. It merely gives the demagogues—it merely gives the muckrakers—

Mr. SMITH of Georgia. An excuse to rake.

Mr. WILLIAMS. An excuse to rake, as my friend from Georgia says. It gives the populist demagogue a chance to get up everywhere and point to a lot of little bits of things that amount to nothing. We do not get any benefit from it. I never went into those magnificent and varied bath arrange-

ments there but once in my life, and then I went in principally to see how it was carried on. Every Senator has his bath at his own home. There is no use having the United States Government bathe us, or worse yet, pay men whose *raison d'être* on the roll is to bathe us and who do not do it. If you will get rid of that, you will have a place to store these books, and you will not have to spend \$3,600 for this warehouse rental, and you will not have to spend \$17,280 to strengthen the Maltby Building. It strikes me as being worse than merely very wrong, because it is so foolish. A blunder in politics is sometimes worse than a crime. A very great man said that; and he was right. Another very great man said that more empires had been toppled over by the freshness and bad manners of funkeys than by bad laws. There are little bits of things that nag. Tourists come here and go around, and the guides say, "Here is where Senators bathe at the public expense." A calculation has been made, and they will say it costs "so many dollars to bathe a Senator."

A Populist down in my State once had a calculation by which he proved that when the baths were here in the old Capitol it cost \$12 to bathe a Senator and \$18 to shave a Senator. The graft is not worth while, outside of every other consideration; it is as foolish as a man's going down into a pasture with a red flag and flaunting it at a bull. There is no sense in it. What is the use? You can go through the pasture just as well without the red flag. You have no need for the red flag. It does not keep the rain off you; it does not keep the sun off you; it does not do any good; and it makes a bad impression on the bull. [Laughter.] There is no sense in this. Rome built magnificent baths; the Baths of Caracalla, the greatest fool among the emperors, was the greatest of them; but they, at least, built them for the people.

I suggest that the Committee on Appropriations could find a place in the Senate Office Building for all the offices and officers over in the Maltby Building, especially those that are attached to senatorial work, public commissions, and things of that kind, if this bath foolishness were removed. Then we could sell the Maltby Building. By the way, one of the very first things we ought to do is to repeal the act whereby we agreed to buy 12 squares from the Peace Monument up to the new Union Depot, and including the new hotel, which I believe they call the "Continental," and running from there two or three squares on the other side—I have forgotten exactly, but, to First, Second, or Third Streets—I do not know which—in the northeast. Not only must we pay for the ground, but for solidly built houses, some of them very expensively constructed.

Whom is it going to help? Merely the real-estate men who are renting property in Washington at exorbitant prices. You are merely tearing down that many well-built houses which have been there a long time and are very convenient to the Capitol. You are doing no good from the standpoint of a park, because if you want a park in northeast or southeast Washington, that is not where you want it. You have one for this part of Washington right here. Keep three squares there right in front of the Union Depot, or four squares if you choose, for a depot greenery and vista and then repeal the law as to the other eight squares.

Mr. President, it is no wonder—and I am going to repeat it almost as often as old Cato repeated his everlasting phrase that "Carthage must be destroyed"—that it costs the American people ten times as much to have the Senate and the House of Representatives waited on as it costs the people of Great Britain to have the House of Lords and the House of Commons waited on, including office accommodations as a part of the waiting.

Understand, I am not quarreling about that magnificent Senate Office Building, which is a thing of beauty, and which justifies itself in that sense. Buildings ought to be constructed frequently for no other reason than that they are beautiful, because the education of the taste of a people is just as important as the education of its intellect. When you educate a people's taste you educate its morals, you elevate its character, and give refinement and culture to men and women. I do say, however, that after you have spent the money and obtained the building, you ought to use it for the purposes for which you constructed it, to wit, for offices for the Senate and rooms for everything concerning the Senate's business, including, amongst other things, documents that are thought necessary to be kept on hand for Senators.

I move to strike out the words from line 7 to line 11, inclusive, on page 12.

The PRESIDENT pro tempore. The Chair would suggest to the Senator that those words are not yet in the bill. They are simply proposed by the committee as an amendment. The only

thing that would be necessary for those who are opposed to it would be to vote against it.

Mr. WILLIAMS. That is true. I hope that the committee amendment will be voted down.

Mr. WARREN. Mr. President, the Senator will not accomplish his purpose in the manner he proposes. The documents are in that building, and they can not be removed without money to remove them. What disposition does the Senator propose to make of those documents?

Mr. WILLIAMS. Leave them there.

Mr. WARREN. But you can not leave them there on property that belongs to private individuals without paying rent.

Mr. WILLIAMS. When did it belong to private individuals? I thought we had bought the Maltby Building?

Mr. WARREN. But these documents are not in the Maltby Building.

Mr. OVERMAN. This is exactly the amount we are paying for rent of the building.

Mr. SMITH of Georgia. For rental and to take care of the documents.

Mr. WARREN. It is for rental of the building and to take care of them.

Mr. OVERMAN. The estimate is that it will take \$3,000 to remove them, and we are paying \$3,600 rent. If it will take \$3,000 to move them, what are you going to do for rent and where will you move the documents?

Mr. WILLIAMS. Move them to the Senate Office Building.

Mr. OVERMAN. How would you move them? Who is going to move them?

Mr. WILLIAMS. I would take the \$3,600 and move them to the Senate Office Building. That building is owned by the Government.

Mr. OVERMAN. I agree with the Senator that there ought to be some provision for them, either in the Maltby Building or in the Senate Office Building; but we have got to pay a rental for the building in which they are stored, amounting to \$3,600, so long as we occupy the building and until we can move the documents. Wherever the Committee on Rules may determine they shall go, it will take a large amount of money to move them. I think the estimate was nearly \$3,600. If the Senator will read the provision, he will find that the appropriation of \$3,600 is not only for rent, but may be used also for moving the documents.

Mr. WILLIAMS. This is the language, and it is rather involved:

For rent of warehouse for storage of public documents for the Senate, \$3,600, to be immediately available, and authority is hereby given to use any part or all of said sum for moving documents contained in said warehouse to buildings owned by the Government.

So that from this you might both continue the rent and then pay for moving the documents.

Mr. OVERMAN. No. If we come to the conclusion that we want to move them, then we have the money appropriated for the purpose of moving them; but without the money to move them, we can not move them.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. The Senator from Wyoming has the floor. To whom does the Senator yield?

Mr. WARREN. Mr. President, I only wish to occupy the floor for a moment.

Mr. WILLIAMS. Before the Senator replies, I should like to ask him one question for information. How was this matter formerly carried?

Mr. WARREN. It has been formerly carried as an item of \$3,600 for rent. A year ago I raised the same question the Senator now raises, and I agree with him perfectly. We ought to do away with this expenditure, but in trying to do away with it we were confronted, first, with the proposition that there was no money for the removal of the documents. Last year we incorporated exactly the same provision as is now proposed, and when we found this year that the documents had not been moved an inquiry was instituted and I elicited the information which I have given the Senator. The documents are there, and we shall have to provide some way for their care. So we put in this provision again with the admonition, so far as the Committee on Appropriations is concerned, to the Sergeant at Arms and to the Superintendent of the Capitol that something must be done with those documents. It is not the province of the Committee on Appropriations to state where the documents shall go or to state how many rooms Senators shall have. That is a matter with the Committee on Rules, which has charge of the Office Building, and we have framed this provision so that the Committee on Rules or the officers of the Senate can take it up if necessary and go on with the work of providing some other place for these documents. To strike this provision out would leave us with no money to move the

documents and would leave us liable for the rent of the building until they are taken out.

Mr. WILLIAMS. Are they useless documents that have piled up?

Mr. WARREN. No; they are documents that have accumulated there from day to day.

Mr. SMITH of Georgia. Will the Senator permit me to ask him a question?

Mr. WARREN. The Senator from Missouri [Mr. REED] had asked me to yield to him.

Mr. REED. I yield to the Senator from Georgia to ask a question.

Mr. SMITH of Georgia. Suppose we strike out the words "for rent of warehouse for storage of public documents" and put in simply a provision for the removal of public documents for the Senate, \$3,600. That would furnish the money necessary for the removal, stop the rental, and necessitate the removal, would it not?

Mr. WARREN. Yes; but you can not stop the rental until you complete the removal. We must leave some leeway to those having it in charge, because the rental will go on until you complete the removal.

Mr. SMITH of Georgia. Then provide rent for 30 days and provide the money for the removal. Would not that cover it?

Mr. WARREN. Well, I am not competent, and I do not believe any Senator is competent, unless he should visit the building and look over the ground, to say whether or not it could be done in 30 days or 10 days or 60 days.

Mr. OVERMAN. I should like to ask the Senator from Georgia where he would move them?

Mr. SMITH of Georgia. I would move them to the Senate Office Building.

Mr. OVERMAN. I want to say that the original idea was to put them in the Senate Office Building, but Senators began to demand a third room. The rooms on the first floor were intended for documents, but Senators finally went into those rooms, and are occupying them to-day. Will we run Senators out of those rooms and put the documents in them? A great many of those rooms have been furnished and are being occupied. Now, if the Senator's proposed amendment should be adopted, we would have to remove the documents forthwith and deprive Senators of those rooms.

I agree with the Senator from Mississippi that there is room in the basement, but we had the Superintendent of the Capitol Building and the Sergeant at Arms before us, and consulted them about this very matter. The Committee on Appropriations, however, could not order the work done; the Committee of Rules may do so hereafter; but to amend this appropriation bill now and require the removal to be made forthwith, without any place being provided for the documents, will put us in a bad position. We do not know now how the matter can be arranged. We have the money now to rent the building until we can move the documents, and with this appropriation we will have enough money to move them when it can be determined where they shall be moved. All we can then do is to call the matter to the attention of the Committee of Rules and let them provide a place. It is not for us to provide a place. We can vote the money to pay the rent and to provide for removing the documents.

Mr. SMITH of Georgia. If the Senator will permit me to ask him a question, I understood the Senator from Wyoming to say that last year exactly the same provision was put in the bill as is proposed now, but nothing was done toward removing the documents.

Mr. OVERMAN. Yes; but the Superintendent of the Capitol started to put the documents in the Senate Office Building. Senators objected, however, and said they did not want these documents there; they wanted the rooms for their own use.

Mr. SMITH of Georgia. That was the reason I was suggesting that we ought not to leave in the same language as last year, but we should have action here that will require them to be removed.

Mr. OVERMAN. I should like to see some such action taken.

Mr. SMITH of Georgia. Well, let us act in the matter.

Mr. OVERMAN. If the Senate wants to say that some Senators shall move out of their rooms in order to put these documents in those rooms, where they were intended to be put, the committee would like to see that done.

Mr. SMITH of Georgia. If arrangements can not be made for the storage of the documents in the basement, then it would seem to me that Senators will have to give up some of their rooms.

Mr. OVERMAN. We wanted to store the documents in the basement, but some Senators said, "We do not want the documents put there to bring cockroaches and rats, as is the case

in the House Office Building." Then we wanted to put the documents in the Maltby Building, but we were advised that the Maltby Building would not hold them, and that we would have to spend some money to restore that building.

Mr. WILLIAMS. How many vacant rooms are there in the Senate Office Building?

Mr. OVERMAN. There are comparatively few.

Mr. WILLIAMS. The Senator from Arizona [Mr. SMITH] has just informed me that there are two big rooms in the Office Building which might be used for this purpose; so that all you have to do is to move the documents.

Mr. OVERMAN. If anyone chooses to take that action, all right; but let it be by a resolution authorizing the Committee on Rules to take such action.

Mr. WILLIAMS. Why could we not do it on this bill?

Mr. OVERMAN. On an appropriation bill?

Mr. WILLIAMS. Yes. Why can you not take the amount that is needed and give direction that these documents shall be moved to the Senate Office Building, using for that purpose the rooms and space now occupied by the baths? Of course, you will have to increase the appropriation somewhat, because you will have to take out the bathing apparatus, and all that sort of thing.

Mr. SMOOT. I wish to state to the Senator that there is not room in the Office Building for the documents that are now in the warehouse, and it would be impossible to put them in there. If the printing bill becomes a law, as I hope it will, then I believe that within a year, at least after that time, the rooms in the Senate Office Building will be sufficient to hold the documents that will have to be carried under that law.

Mr. WILLIAMS. How will the printing bill affect that?

Mr. SMOOT. In the printing bill we have a valuation plan, and documents will not be ordered under the new bill and printed until there is a call for them. Under the present law, whenever there is an order made, the Public Printer prints them immediately.

Mr. WILLIAMS. I remember now, and I see the change that will be effected.

Mr. SMOOT. I hope that this provision in the bill will be allowed to go through.

Mr. WILLIAMS. Mr. President, feeling confident that members of the Appropriations Committee are in sympathy with the purpose I have in view and that they are going to proceed to try to accomplish it as best they can and that they will use their influence with the Committee on Rules for that purpose, I am disposed to withdraw my opposition.

Mr. OVERMAN. I want to say, in answer to the suggestion of the Senator from Arizona, that there are two very large rooms in the Office Building which might be used for this purpose; that we had an estimate made of the space in those rooms to ascertain whether or not they would hold these documents, and we were informed they would not hold one-third of them. So you see that we have made some investigation of the matter.

Mr. WARREN. I want to say to the Senator from Missouri, the Senator from Georgia, and other Senators that the Committee on Appropriations is exceedingly anxious to bring about what is now proposed. It has been so for the last year. If Senators had been present when the report of the subcommittee on this matter was made and when it was explained, they would have been satisfied that the Committee on Appropriations was not neglecting its duties in this regard; but, in view of the new printing bill, which it is hoped may become a law, and in view of the fact that if the bathrooms were given up there would only be room for a very small portion of these documents, we concluded to let it go over for this one year, hoping that our efforts with the other committees may bear fruit, and that Senators who are now expressing themselves about these documents may aid the Committee on Appropriations and aid the Committee on Rules to make room enough in the Office Building for the documents.

If a majority of the Senate agree that it is insanitary to have them there, and they do not desire to have them there, then we shall have a provision in the bill that will enable the Committee on Appropriations in the most economical manner to take care of these documents. The matter has received a great deal of attention. I do not see that the language can be changed. I want to express my gratitude to the Senator from Mississippi, first, for bringing this subject up, and, second, for doing what I think is wise, to leave the provision the way it is, so that the matter may be taken up with the proper committee.

Mr. WILLIAMS. I want to ask the Senator a question about the next clause, although I think it has not yet been read.

Mr. REED. Before the Senator does that—I understand he is going to leave this subject—

Mr. WILLIAMS. I am going to the next clause, which is part of the same amendment.

Mr. REED. Very well.

Mr. WILLIAMS. Following the amendment which has been under discussion occurs this committee amendment:

For miscellaneous items on account of the Maltby Building, \$17,280.

I ask the Senator why could we not strike that out of this bill and give orders through the Sergeant at Arms to all the commissions and to others occupying that building to go over to the Senate Office Building? There is plenty of room for them.

Mr. WARREN. They would probably have to take some of the employees along with them, and I do not know that it would reduce expenditures at all. I think that matter will take care of itself, like the other, during the next year.

Mr. WILLIAMS. If they would leave that building I think we might sell it.

Mr. WARREN. I say I think this will take care of itself during the year. I think this is the last year it will be necessary to put such a provision in the bill, and I hope the Senator will not move to strike it out.

Mr. SMITH of Georgia. What are these miscellaneous expenses?

Mr. WILLIAMS. These miscellaneous expenses, I understand, are for elevator men, messengers, custodians, janitors, and charwomen, are they not?

Mr. WARREN. They are for all kinds of expenditures, such as are necessary around every building, and as the Senator says, they include elevator men, janitors, light, heat, and all those matters.

Mr. OVERMAN. Not only that, Mr. President, but there are some employees who are here at these doors belonging to the patronage of the majority side that are assigned to the Maltby Building.

Mr. WILLIAMS. Why not have them in the Senate Office Building?

Mr. OVERMAN. Because they belong here. They could not be put in the appropriation for the Senate Office Building. They are men who sit at the doors here, who are on the Senate roll, and they are charged up to this fund. That has never been changed.

Mr. SMITH of Georgia. It ought to be changed.

Mr. OVERMAN. It never has been changed.

Mr. WARREN. It seems to me that it ought to read so much a year as long as we use the Maltby Building as it is now being used.

Mr. WILLIAMS. The Senator perhaps did not understand what the Senator from North Carolina [Mr. OVERMAN] said, that some of these items that are charged as miscellaneous items cover the salaries of janitors and men at the doors.

Mr. WARREN. That naturally follows; but when we complete the removal from the Maltby Building, which, it is hoped, will be within the next year, then that can be wiped out and new terms used in providing for these employees.

Mr. WILLIAMS. I would change that in the appropriation bill now.

Mr. REED. Mr. President, I want to say to the Senator from Wyoming that the only difficulty about the arrangement he suggests is that it leaves us just where we were a year ago and just where we were when we started on this discussion. We have had an illuminating discussion, and it seems to be the consensus of opinion that something ought to be done at some time; but we are not doing it, and this matter will go over until next year and, likely enough, be forgotten.

It seems to me we ought at this time to order these documents removed to the Senate Office Building as soon as practicable. We ought to give the committee the authority they desire, and this clause in the bill ought to be so drawn as to pay rent for the time the building is occupied; and the rest of the appropriation ought to be used in removing these documents.

I do not like the idea that has been expressed here that the committee got ready to remove these documents and Senators objected. What Senators? I do not understand that individual Senators have the right to control the action of committees of the Senate or the disposition of public documents on the ground that cockroaches are offensive to them or that the smell of printed literature offends their nostrils. Therefore I suggest that we amend this clause so that it will read:

For removing public documents from the present place of storage to the Senate Office Building, \$3,600, to be immediately available.

That will get action. If there is a little rent involved, I take it, the proprietor of the building may have to wait for the

small amount that may accrue until the next session of Congress makes an appropriation. I move to amend—

Mr. SMOOT. Mr. President, just a word before the Senator makes that motion. If the Senate should make such an order in this bill, it would be an utter impossibility to take all the documents that are in this warehouse and put them in the Senate Office Building. As I have already stated, there is no room there; I doubt very much whether there is room for one-third of them, and it would be a physical impossibility to carry out that order. I merely wish to call that to the Senator's attention. I do not know it to be a fact, but I think the Senator has never been to this warehouse to see the immense quantity of public documents stored there; and I know that if he would look at them and see the number he himself would immediately say that it is an utter impossibility to provide for them in the Senate Office Building.

Mr. REED. How large is this building and what is its storage capacity?

Mr. SMOOT. It is a very large storehouse.

Mr. REED. Can the Senator give us an idea of its size?

Mr. OVERMAN. It used to be an old railroad car barn. It is a very large building.

Mr. SMOOT. I think it is 200 feet long and that it is all of 70 feet wide.

Mr. SMITH of Georgia. I would like to ask the Senator if it is not probably true that a large part of the material stored there is really waste paper and that it ought to be burned?

Mr. SMOOT. We never burn anything. We have a committee to sell that paper at 80 cents a hundred pounds, or to the highest bidder.

Mr. OVERMAN. I believe we have a Committee on the Disposition of Useless Papers. If so, it does not seem that they have done their duty.

So far as removing these documents is concerned, a Senator has just suggested to me that he has two rooms in the basement where these documents could be stored, which he would give up if some of the Senators who have three rooms would give up their third room and let him have a room upstairs. You can see, therefore, the trouble we have had. If the Committee on Rules would take away from Senators who have three rooms one of the rooms they are now occupying, and the Senators who are downstairs could be moved upstairs, the documents might be stored where it was intended they should go; but we would have all sorts of trouble.

The only feasible plan seems to be that suggested by the Senator from Missouri. If it is left to a committee, I agree with him that the committee could probably make some arrangement by which most of these documents could be moved; but I do not think that more than one-half of them could be moved into the Senate Office Building. There are a great many documents which ought to be disposed of, and if the Committee on the Disposition of Useless Papers would get to work, probably hundreds of them could be disposed of, so that the documents we need could be placed in this building. I hope that such an arrangement may be made; but it is not for the committee to decide that. If the Senate desires to make any provision upon the subject in connection with this appropriation bill, I can not prevent it; but I was suggesting to the Senator the trouble we would have if we ordered the documents moved over there now. Where would you put them?

Mr. REED. If there is no room in the Senate Office Building to store these documents now, we do not escape that difficulty for a moment by referring to the committee the impossible task of putting something into a space that is not big enough to hold it. If the committee can hereafter solve this problem, they can do it under a resolution offered here, and if it is impossible of solution now, then the committee can solve it hereafter. Either there is space enough in the Senate Office Building to hold these documents or there is not space enough. If there is space enough, and we direct their removal there, the committee will be able to remove them. If there is not space enough, then the committee can not make that space.

It is said that we can dispose of a part of these documents; that we can sell them; that we can make way with them. If that is true, then that will be a fact whether we pass the resolution I was about to suggest, or it will not be a fact. It seems to me we ought to go at least this far on this day: We ought to amend this bill giving the committee specific authority to remove these documents, if it be practicable to do so, and to cut down the number as far as practicable. If we put it in that form, the committee has got specific authority to act.

Mr. FOSTER. Will the Senator yield for a statement?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Louisiana?

Mr. REED. Certainly.

Mr. FOSTER. It was distinctly stated before the committee that at present there is not sufficient room in the Senate Office Building to which these documents could be removed. If the Senator's proposed amendment prevails and this statement is true, then the Senate is ordering these documents to be removed to a place where there is not sufficient room to hold them. Do you want a resolution of that kind passed?

Mr. REED. If that is the fact, we might as well face it to-day and not be talking about passing some resolution authorizing the committee to do it hereafter. If there is no room there, let us face it and get a building to hold these documents. The point I am objecting to, if the Senator please, is this: We are confronted, first, by a statement that there is not room, and if we pass a resolution directing their removal to that building it would be an impossible task. Then, coming along with that, is the suggestion that if we just wait a little while the committee can accomplish it. If the committee can accomplish it at all, they can do it now, saving, of course, the exception which has been stated by the Senator from Utah, that there will be some cutting down.

Mr. WARREN. Will the Senator allow me?

Mr. REED. Certainly.

Mr. WARREN. There is a fact the Senator has entirely overlooked. This appropriation is for the year 1913, which extends from July 1, 1912, to July 1, 1913. On the 4th of March in that year there will probably be a great many changes, and that would be a much better time to rearrange matters in connection with the office building, it seems to me, than it is now, when Senators are located there. The chairman of the Committee on the Disposition of Useless Papers, the Senator from Arkansas [Mr. CLARKE], is not in the Chamber, but if he should get the gist of this debate and should feel like looking into the matter to ascertain what documents could be destroyed that would help a good deal. The Senator from Utah has referred to the new printing bill. That will also help.

Of course, the Committee on Appropriations does not have charge of this matter; the Committee on Rules has charge of the Office Building. The chairman of that committee does not happen to be here, but I am sure the Committee on Rules will be glad to conform substantially to the wishes of the Senate as a body, and they have tried, I think, heretofore to conform as nearly as they could to the wishes of Senators individually, as well as to the wishes of the Senate as a body. I think during the next year we will see the obliteration of this vexatious question. That is my opinion, and I do not believe we ought to undertake to do other than what this amendment provides for at this time.

Mr. REED. Mr. President, it strikes me that the Senator and myself are in complete accord on one proposition, and that is that there will probably be a great many changes on the 4th of next March, and it might be that if we postpone action to-day it will, I trust, save inconveniencing a large number of our Republican brothers. It may be that the lapse of time will be sufficient to remove the difficulty so far as they are concerned.

Mr. WARREN. I am asking no quarter for the Republican Senators or for the Committee on Appropriations. It is no object to us to defeat any provision the Senate may wish to make in regard to the disposition of these documents. I would be as glad, perhaps, as the Senator is to burn them. I do not care.

Mr. REED. I understand that the principle governing in the Republican camp to-day is that quarter is neither to be asked nor given, and I trust for the good of the country that that spirit will be maintained.

But, speaking more seriously of this matter, I want to ask the Senator from Wyoming if he will object to an amendment being offered to the bill later—that is, whether he will make a point of order against it—directing the committee to investigate, and, if feasible, to remove these documents?

Mr. WARREN. May I ask what committee? The Senator does not mean the Committee on Appropriations, of course?

Mr. REED. The Committee on Rules. But I want to go into this bill the provision authorizing them to do so.

Mr. OVERMAN. I have no objection to that, but although I am not chairman of the committee—and I am sorry the chairman is not here—I want to call the attention of the Senate to the trouble the Committee on Rules has had. The Senator himself, as he knows, desired a third room, and he asked me, as representing the minority side, to do what I could to get it for him. I might say the same thing as to a number of other Senators. I have looked out for them the best I could, and tried to get rooms for them. Here is another Senator, the Senator from Missouri, who asked for a third room, and he has gotten it. We have tried to accomplish what we could in the way of contributing to the comfort and convenience of all Senators, in order that they may carry on their work properly.

We have been met with the question as to where these documents should be stored. We wanted to dispose of them in some way, but did not know exactly how to do so. After hearing this debate, however, which has taken a wide scope, and which has elicited a good deal of information, I think the committee will try to bring about a solution that will take care of these matters.

The Senator must consider the fact that the report of the Committee on Printing shows that a great many of these documents will be done away with, and also that this debate will probably bring out the fact that the Committee on the Disposition of Useless Papers has something to do, and if they will perform their duty and get rid of them, then the Committee on Rules can act.

Mr. REED. And the clerk of the committee can earn his salary.

Mr. OVERMAN. Yes, the clerk can earn his salary; but what can the Committee on Rules do under present conditions, with every Senator wanting a third room?

Mr. WILLIAMS. Refuse to give it to them. Members of the House of Representatives of equal legislative dignity have only one room apiece. I do not think there is an extra room over there.

Mr. OVERMAN. I do not think the Senator would refuse to give me a third room if I needed it and he had one to spare.

Mr. WILLIAMS. I certainly would refuse to do so if the public needed that third room for something else.

Mr. OVERMAN. I think the best thing to do is to provide that no Senator shall have more than two rooms. When that is done we can take care of every document. That is the question up to the Senate now. Will the Senate provide that no Senator shall have more than two rooms? Let us meet it face to face, and say that no Senator shall have more than two rooms, and the Committee on Rules will remove those documents forthwith.

Mr. REED. If that is all there is in the way, this question ought to be easily settled. The Senator speaks about the embarrassment his committee is under, and I know that it is. There is constant clamor for more room, and so long as the rooms are there, empty and unused, there is no reason why Senators should not enjoy them.

My idea in introducing the resolution providing that these documents should be taken there was to relieve the committee of the very embarrassment from which it is suffering. If they fill these rooms with documents, there will be no additional rooms left for Senators, perhaps, and the committee can answer that the Senate has ordered it; but so long as we put the burden on the committee to refuse a request for a room when the room stands there vacant, the committee, being composed of fair, good-humored, accommodating, and reasonable gentlemen, will give the room, because it is only fair that they should. So I think the resolution should be adopted, with the understanding that it will not be objected to on the ground that it is out of order, being new legislation. I will prepare such a resolution and introduce it before the bill is passed, and all I ask is a vote upon it.

I want to say to the Senator, further, as he speaks about the additional rooms for Senators, we have over there in the Senate Office Building a restaurant that is patronized by but very few people and is, I think, of very little use. It certainly is not of much use to any man who has any high regard for his stomach and his digestive apparatus. There is a kitchen in connection with that. I think if you would clean those things out, including your Turkish bath, you would find that there would be a good deal of additional room in that building. But I am in favor of drawing the resolve in such a form as to leave a large discretion with the committee, but nevertheless to give it authority to act.

Mr. OVERMAN. I think there is a Democratic caucus room there that could be used for documents.

Mr. REED. I was going to say there is a Democratic caucus room over there that is big enough to hold a meeting of a thousand people. While we expect some additional Members, we will not have enough to fill it. It is a room nobody can be heard in. There is a Republican caucus room that is a palace almost in itself, and that I do not think is occupied by our Republican brethren because it is so large. They may meet there; I do not know.

Mr. OVERMAN. Would the Senator oppose the documents being placed in those rooms?

Mr. REED. I would be glad to see the rooms put to some useful purpose.

Mr. OVERMAN. I do not think the Senate would agree to having the documents put in those rooms.

The PRESIDENT pro tempore. Without objection, the amendment pending on page 12—

Mr. SMITH of Georgia. I do not understand that the second amendment, as to \$17,280, is agreed to.

The PRESIDENT pro tempore. Without objection, the amendment, down to line 11, on page 12, is agreed to. The next amendment will be stated.

The SECRETARY. On page 12, after line 11, insert, "For miscellaneous items on account of the Maltby Building, \$17,280."

Mr. SMITH of Georgia. Mr. President, I object to that appropriation. It does not indicate what we are doing it for. No Senator who votes for it, unless he has some outside information, could give any explanation of it. "Miscellaneous expenses on account of the Maltby Building." What for? What are we spending that money for?

Mr. OVERMAN. I do not see the chairman here, but I will say when that was brought up by myself in the committee, I asked for an itemized list from the Sergeant at Arms, and he produced an item of every expense in the Maltby Building. I do not see how we can get rid of it at this time. To my surprise I found a good many officers included in that who are actually employed in the Capitol and who have really nothing to do with the Maltby Building proper, and yet they are on this \$17,000 roll. It seems they have been used by the majority side. I do not say they are not needed. They are probably needed in the Capitol. Still, they appear on this Maltby Building roll, and we do not make an appropriation elsewhere for them. If we need these men, we would have to increase the appropriation somewhere else in order to take care of them. Among them are messenger boys and elevator men, and there are those who take care of the building. I think there are less in proportion there than in connection with any other building I know of.

So, with the itemized bill in my hand, after an examination and a cross-examination of every item, if we are going to let these employees stay, I can not see what it would amount to to take them from one roll and put them on another roll.

Mr. SMITH of Georgia. Would it not be better to take them from a roll where they do not belong and put them on a roll where they properly belong? If they are serving here in the Capitol they ought to be on that roll.

Mr. OVERMAN. I agree to that.

Mr. SMOOT. I think the Senator will find, if he makes an examination into the question, that the men who are on this roll were originally at the Maltby Building at the time Senators were located in the Maltby Building, and every year the appropriation has been for that building to take care of those employees. They have been transferred from there to places in this building.

Mr. SMITH of Georgia. When you gave up that building why were not they transferred to the Senate Office Building to do the service there?

Mr. WARREN. I think I ought to say that there has been a good deal of time when duties were done at both places. I think it better to leave it this way at present, because it will probably fall out at the end of the year, anyway.

Mr. SMITH of Georgia. I would like to ask what is being done with the Maltby Building now? It is not used as a Senate office building any longer.

Mr. SMOOT. A part of the Census Office is there. A great deal of the work is done there under the Census Office, and of course that work being done there, it compels us to have janitors, elevator boys, and so on.

Mr. SMITH of Georgia. Would not that belong to the census pay roll and not to the Senate pay roll?

Mr. SMOOT. No; it comes in the legislative appropriation bill. I will say to the Senator that there is a great deal of folding done in that building to-day, the folding of Senator's speeches and of Congressmen's speeches. The folding that they are compelled to do is done over in that building to-day.

Mr. SMITH of Georgia. Mr. President, I am opposed to carrying that kind of an appropriation. It is a small matter, but if we do not start at the top when the Senate legislates and be careful about expenses and items, it is likely to run down through all the various departments and set an example of carelessness in the way in which money is to be spent. I think the men who work here ought to be charged up to work around the Senate building, and I do not think a sufficient explanation is made to justify this appropriation.

Mr. OVERMAN. If the Census did not have the use of this building they would have to pay a large rent for some other building.

Mr. SMITH of Georgia. Then let it be charged up to the Census.

Mr. OVERMAN. What difference does it make when the people have to pay the money, anyway? I do not think the Senator would object if he would look at the items we had before us. I think the Maltby Building ought to be disposed of, but we can not do that at once. I think the documents really ought to be put in the Maltby Building. We have an estimate from the engineer that he can put those documents in there, and that was our idea, instead of putting them in the Senate Building. They can occupy two rooms and still let the Census have the rooms they have there now. We can economize in the way of space. We discussed all these questions. You can not do it all at once. This Maltby appropriation has been carried, as the Senator has said. The elevator men and others we had there have been kept. If you move to strike out this appropriation now, you will have to provide for these employees somewhere else.

Mr. SMITH of Georgia. Unless you drop them. I will ask if the same appropriation was made for the Maltby Building when the Senators had their offices there?

Mr. OVERMAN. Oh, no; this is nothing like it.

Mr. SMOOT. This item is not near as large as it was when the Senators were there. It is nowhere near the amount. This is simply to take care of the absolute expenses necessary to keep the Maltby Building in shape for the work that is being done there at the present time.

Mr. SMITH of Georgia. Does not the Senator think that is a very large sum to take care of that small building to let somebody else work there?

Mr. SMOOT. It is not to let somebody else work there. The work has to be done somewhere, and if, as the Senator from North Carolina said, we did not have this building there would have to be another building rented in some other part of the city to accomplish the work that is being accomplished there.

Mr. SMITH of Georgia. What work?

Mr. SMOOT. The census work that is being done there.

Mr. OVERMAN. For this amount of money I do not suppose you could rent another building anywhere in the city.

Mr. SMOOT. I am quite sure you could not for this amount rent a building with space enough to accommodate the people who are working there.

Mr. SMITH of Georgia. But you are furnishing that building to the Census Bureau, and they are working there.

Mr. SMOOT. Certainly.

Mr. SMITH of Georgia. Then why should we appropriate money in addition? Why should not the Census, if it uses the building, run it and pay its men who are there? If there are men really on this roll called "for miscellaneous items on account of the Maltby Building" who are not doing work there, but are in the galleries here or around the Senate, ought they not to be taken off that miscellaneous roll and be charged up frankly and openly where they do the work?

Mr. SMOOT. That would be absolutely the case, Mr. President, if they were not used in other places than the Maltby Building; but their time is divided; a part of their time they are at the Maltby Building and a part of it at other places. This roll has been for the Maltby Building in the past, and it has been cut down until now it is \$17,280.

Mr. FLETCHER. Mr. President, there seems to be objection to this item because of the language "miscellaneous items on account of the Maltby Building." The Senator from North Carolina states that the committee had an itemized statement showing just what was covered by this appropriation. I suggest that such a statement ought to be furnished to the Senate in some way or printed in the Record, so we can ascertain what it does mean. There seems to be some difference among Senators in regard to the matter.

Mr. WARREN. I would like to have the Senators have all the information that the committee has, and I am sorry they are such unbelievers.

Mr. SMITH of Georgia. Will the Senator allow me? It is not that we are unbelievers. We are voting for a miscellaneous appropriation without anything to indicate what it is for.

For miscellaneous items on account of the Maltby Building, \$17,280.

That carries no idea except the suggestion that it is necessary to keep up that building. It is not simply Senators that we must consider. It is the people of the country. It is the other Government officials. It is the men engaged in other departments. If we make a record that looks as if we are careless, they will naturally become careless, and it reaches all out through the Government service, multiplying in quantity of wasted money as it goes further and further from us.

Mr. WARREN. I did not intend to open up the remarks of the Senator from Florida to others, and I intended to say only

a few words myself. This bill comes from the other side, with some thousands of pages of hearings, and the subcommittee has gone all through that.

We had representatives of every one of the departments before us, and we have the testimony in print. Here is one of the volumes. It is all here. It is impossible in a bill to carry all the items. Miscellaneous expenses or contingent expenses have to be granted to every one of these departments, and this one is entirely for the Senate, and consequently is closer than any other one. There is no dark scheme in this \$17,000. If the Senators want to strike it out, they can do that. But, of course, you will have to close your Maltby House in such a case, because you can not use the building without the elevators and without the building being taken care of, kept clean, and so on. The Senator from Georgia says we do not explain who were in there, and so forth.

Mr. OVERMAN. Mr. President—

The PRESIDENT pro tempore. The Senator from Florida [Mr. FLETCHER] has the floor. Does he yield to the Senator from North Carolina?

Mr. FLETCHER. Yes.

Mr. OVERMAN. The subcommittee worked for 9 or 10 days, day and night, on this bill, and the hearings are printed. If there is any special item that any Senator objects to, he can turn to the index that has been made and find the subject in a moment. There is not only one book, but there is another book of testimony taken by the committee. If a Senator objects to every miscellaneous item in this bill, he will be objecting to a great many. If the Senator will read the testimony, perhaps he will not object to it.

Mr. FLETCHER. Mr. President, what I was suggesting was to meet the difficulty in the mind of some Senators apparently as to what this item covers. I have no question but that the committee has gone through it and found that it is a proper item, and I can see how there would be needed an appropriation of this sort. But it seems to be admitted that while it is now under the name of the Maltby Building it covers some items that really do not precisely refer to that building at all.

Mr. OVERMAN. Some of the men who do work over there are also employed here.

Mr. FLETCHER. All that I am suggesting is that the Senator put a statement in the Record covering this amount of \$17,000. I do not suppose it will be a long statement. I have no objection to the item. I do not criticize it, but some want the information.

Mr. OVERMAN. I do not think there will be any objection to that. In fact, I will be glad to do that.

Mr. FLETCHER. If the Senator will simply put in the Record the items which this appropriation of \$17,280 covers that, I think, will satisfy the minds of Senators, and then if there are objections to the items they can specify them.

Mr. SMOOT. Mr. President, I have here exactly what the items are. I find this item here is for wages entirely and these are the parties that it is paid to: W. H. K. Depue, F. J. Merkling, John B. Swift.

Mr. SMITH of Georgia. Will the Senator give the salary of each?

Mr. SMOOT. I will. W. H. K. Depue, \$1,800. We all know Mr. Depue works at one of these doors. F. J. Merkling, \$1,440.

Mr. REED. Where does he work?

Mr. SMOOT. I think he is at one of the doors. John B. Swift, \$1,440.

Mr. REED. Will the Senator kindly tell us where these different gentlemen work, as near as he can, as he goes along?

Mr. SMOOT. I can not answer that offhand because some of them work at doors here. Their duties are divided; they go wherever they are called. I will say that the next one is C. F. Jelliff, messenger, Maltby Building.

Mr. REED. And salary?

Mr. SMOOT. One thousand four hundred and forty dollars. W. H. Stilley, engineer, Maltby Building, \$1,440.

Mr. REED. The Senator is forgetting to give us the salaries as he goes along.

Mr. SMOOT. W. H. Stilley, engineer at Maltby Building, \$1,440; Michael J. Mack, fireman at Maltby Building, \$1,000; A. T. Hodge, fireman at Maltby Building, \$1,000; A. W. Warfield, fireman at Maltby Building, \$1,000; M. Thomas, elevator conductor, Maltby Building, \$800; C. C. Burr, elevator conductor, Maltby Building, \$800; Charlie West, skilled laborer, Maltby Building, \$800; B. W. Kenney, laborer, Maltby Building, \$720; Joseph Montgomery, laborer, Maltby Building, \$720; Florence R. McKeever, laborer, Maltby Building, \$720; Jesse Stotts, laborer, Maltby Building, \$720; S. H. Sheppard, laborer, Maltby Building, \$720; J. H. Smithers, laborer, Maltby Building, \$720.

That, Mr. President, amounts to \$18,480, and there is one place, that of custodian, \$1,200, that has been taken from it, leaving a balance of \$17,280.

Mr. WILLIAMS. How many of those are Census Bureau employees?

Mr. SMOOT. None of these are from the Census Office. They have been appointed to take charge of the building. The Census employees are located in the office and do the work of the Census Bureau, and they are paid from that department.

Mr. WILLIAMS. Their salaries are carried on the Census appropriation?

Mr. SMOOT. I do not think their salaries are carried in the bill.

Mr. OVERMAN. Excepting the elevator boys and firemen. Of course they get the benefit of it.

Mr. WILLIAMS. Of course; they take care of the building.

Mr. SMOOT. So every item, Senators will see, is appropriated directly for. As I said before, the men are used in different places. Many of them are at the doors here and other places where it becomes absolutely necessary to have them.

Mr. WARREN. Mr. President, in order to show the good faith, if Senators want to know who are the sponsors behind every one of these men, we have that information.

Mr. OVERMAN. I think you had better read that.

Mr. WARREN. Senators can have that information if they desire it.

Mr. OVERMAN. Let it be read. Let us have it all.

Mr. WARREN. As to Mr. W. H. K. Depue, he was put there on the recommendation of the Senator from New Jersey [Mr. BRIGGS]. He is on the door of the Senators' gallery.

Mr. F. J. Merkling—

Mr. OVERMAN. I want the Senator from Georgia [Mr. SMITH] to hear this.

Mr. WARREN. F. J. Merkling is charged to the Senator from Virginia [Mr. MARTIN]. He is his backer, I suppose.

J. B. Swift, messenger in men's southwest gallery, is charged to the Senator from Minnesota [Mr. CLAPP].

Mr. Jelliff, messenger, \$1,440, on the diplomatic gallery door, to the Senator from Illinois [Mr. LORIMER].

Mr. Stilley, engineer, \$1,440, engineer at the Maltby Building, to the Senator from Delaware [Mr. DU PONT].

Mr. M. J. Mack, fireman, Maltby Building, \$1,000. He is not credited or charged to the patronage of any Senator.

Mr. Hodge, fireman, \$1,000, on the ladies' gallery door, to the Senator from Massachusetts [Mr. CRANE].

Mr. Warfield, fireman, \$1,000, Maltby Building, is charged to no one.

Mr. Thomas, on the elevator, \$800, is on the janitor's force. He is charged to no one.

Mr. Burr, on the elevator, \$800, warehouse of the folding room—it is of course at the Maltby Building—to the Senator from Connecticut [Mr. BRANDEGEE].

Charlie West, skilled laborer, \$800, is on the janitor's force, as well as Kenney, laborer, at \$720, and Montgomery, laborer, at \$720, the regular force of the Sergeant at Arms, charged to no Senator.

There is Florence R. McKeever, laborer, at \$720, from Kansas, in the folding room. The Senator from Kansas [Mr. BRISTOW] is her backer.

Mr. Jesse Stotts, laborer, \$720, is on the janitor's force, charged to no one.

Mr. Sheppard, \$720, is in the post office, charged to the Senator from Washington [Mr. POINDEXTER].

Mr. Smithers, laborer, \$720, is simply on the regular Senate roll.

Mr. STONE. Mr. President, I should like to have some of those who are not charged to anybody. [Laughter.] I have not anything charged to me.

Mr. WARREN. I, the committee chairman, have none charged to me. I would like to have some.

Mr. OVERMAN. I have not been able to get any myself.

The PRESIDENT pro tempore. The amendment, without objection, will be agreed to.

Mr. SMITH of Georgia. I still object to it.

The PRESIDENT pro tempore. The question, then, is on the adoption of the amendment, which will be again read.

The SECRETARY. On page 12, after line 11, insert:

For miscellaneous items, on account of the Maltby Building, \$17,280.

The amendment was agreed to.

The next amendment was, on page 12, line 18, after the words, "printed page," to strike out "\$25,000" and insert "\$50,000," so as to make the clause read:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as

may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding \$1.25 per printed page, \$50,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 20, to insert: To enable the postmaster of the Senate to keep a constant supply of postage stamps for sale to Senators, \$200.

The amendment was agreed to.

The next amendment was, on page 12, after line 22, to insert:

The library collected by the National Monetary Commission is hereby made a part of the Library of Congress and under the administration of the Librarian of Congress, but, until otherwise ordered, it shall be kept and maintained in the Senate Office Building in immediate charge of a custodian, who is hereby authorized at a salary of \$2,500 per annum, and the sum of \$2,500 is hereby appropriated for the salary of such custodian during the fiscal year ending June 30, 1913.

Mr. WILLIAMS. I wish to ask for some information from the Senator in charge of the bill. Prefatory to that I will say that I do not think the position taken by the Senator from North Carolina [Mr. OVERMAN] is quite sound. I refer to his opinion to the effect that we ought to read all these hearings.

Mr. OVERMAN. Oh, no; I do not say that; the Senator misunderstood me. I said, if the Senator had any particular objection to any particular item he would find that in the index.

Mr. WILLIAMS. Turn to the index and find the item and then inform himself. A much quicker route for the information is to apply for the information to competent men who have studied the question and had the reading. It is much quicker and much more satisfactory. It seems to me, if the Senator from Wyoming will pardon me, a part of this is unnecessary. It reads:

The library collected by the National Monetary Commission is hereby made a part of the Library of Congress and under the administration of the Librarian of Congress, but, until otherwise ordered, it shall be kept and maintained in the Senate Office Building in immediate charge of a custodian who is hereby authorized at a salary of \$2,500 per annum, and the sum of \$2,500 is hereby appropriated for the salary of such custodian during the fiscal year ending June 30, 1913.

The question which I desire to ask of the Senator from Wyoming is why it is necessary to keep and maintain this library in the Senate Office Building with a specially employed custodian at \$2,500 a year when the great Congressional Library, another most magnificent marble palace in the city of Washington, has space to burn for the storing of books.

Mr. WARREN. Oh, no, Mr. President, not space to burn. We are called on from year to year to build extra stacks to take care of the accumulations over there.

Mr. WILLIAMS. Yes; stacks would have to be built here and there, but the room is there, an abundance of it.

Mr. OVERMAN. I think this item was inserted at the special request of the Finance Committee. I so understood it.

Mr. WILLIAMS. Then, if it was the special request of the Finance Committee, as one of the nonconsidered members of the Finance Committee who have nothing to do with providing salaries of \$2,500 for somebody as custodian, I had no knowledge of it. I received no sort of information, and I do not see any sense or use in it. It seems to me if it read this way:

The library collected by the National Monetary Commission is hereby made a part of the Library of Congress and is put under the administration of the Library of Congress, and the sum of \$2,500, or so much thereof as may be necessary, is hereby appropriated for the purpose of removing the books to the Congressional Library.

We would save at least \$2,500 a year for a very indefinite period.

Mr. WARREN. I think the Senator is in error about that. The library is a very expensive one, and it has been accumulating. I understand, and from my observation I think it is true, with a great deal of care by the Monetary Commission during the last several years. It is a library that has been fitted up in rooms with steel cases and a steel spiral staircase to get to the top, where they seemed to want to economize room as much as possible. It is adjacent to the Finance Committee room, and it has been the desire of the House side as well as the Senate side, on the part of those who served on the Monetary Commission, that until some later date it might be preserved intact near by where it would be as useful as possible.

As to the \$2,500, that is the salary the present custodian is getting, and possibly more than will be provided when we get through with the bill in conference; but as long as we had that salary, and because he is an expert in that line, and because of the particular usefulness of this library, it was thought best to insert that salary. The Library of Congress belongs to both House and Senate, and this will eventually properly be lodged there; but it will have to have a custodian there just the same.

Mr. WILLIAMS. Now, what was the authority of the commission for constructing a library room in the Senate building?

Mr. WARREN. Their authority was in the law which provided for that commission and which gave them everything between the sky and the earth.

Mr. WILLIAMS. That is it exactly. I wanted to get that statement.

Mr. WARREN. And I must say that their expenses, while possibly extravagant, were less so than usual commissions would have incurred under the expansive limit they had, and one of their very best investments was this library.

Mr. WILLIAMS. Mr. President, it is not at all wonderful that a commission with authority to do everything between the earth and the sky came within its limits. I should imagine that almost any limit would not exceed the authority.

Mr. WARREN. I desire to say that the Senator from Mississippi was a Member of the House, if I mistake not, which cooperated in passing the law, and I never heard of his objecting to it over there.

Mr. WILLIAMS. I do not think he was; but that is immaterial. If he was, he is not in the slightest responsible for what this commission has done or for its touring around and its enormous expenditure and its accumulation of this expensive library. The Senator from Wyoming is perfectly correct in saying that it is very expensive, and I was startled by the figures when I saw them.

Mr. WARREN. But both the Senator and I voted for cutting off further expense.

Mr. WILLIAMS. Yes; and I predicted at the time that we had better watch it, because apt as not, it might leave an employee or two behind it; and that is what I am trying to inquire into now. I find that they went to work and they have not only bought an expensive library, but without any specific authority of Congress for that specific purpose, under the general authority which hovered around between the earth and the sky, they have constructed a library room in the Senate Office Building with various arrangements for convenience. Now, it is proposed finally to send it over to the Congressional Library, and the books ought to be sent to the Congressional Library, because they ought to be at the behest and for the benefit and edification of the Members of the House as well as the Members of the Senate, and they ought to be open for the perusal and study of students and scholars everywhere, and such other people as choose to edify themselves by the perusal of those books.

Mr. OVERMAN. If the Senator will allow me, I will state that I understood that inasmuch as the monetary question will come up in the near future, temporarily, if not longer, that library matter ought to be kept there where the Finance Committee could get at it.

Mr. WILLIAMS. Oh, no; I draw—

Mr. OVERMAN. I want to say also that one reason why we voted to put it in was because the Senate had acted on this particular question about three weeks ago. A bill passed the Senate and went to the House providing that this should be done.

Mr. SMOOT. That is right.

Mr. OVERMAN. If the Senate had acted upon it and it had passed through the Senate requiring this to be done, we thought it was our duty as a committee of the Senate to put it in. But for the action of the Senate I would not have agreed to it.

Mr. WILLIAMS. Mr. President, one word, and then I will yield to the Senator from Utah. From the premises laid down by the Senator from North Carolina I arrive at a directly antagonistic conclusion.

The fact that monetary legislation is to be had is a reason, to my mind, for not consigning this information, if it be useful, to a place where it will be confined only to Senators, but would be a reason for consigning it right now to a place where it would be convenient to the entire American public that choose to study the question, including, certainly, the Members of the House of Representatives as much as ourselves, and certainly, in my opinion, other people as well.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

Mr. WILLIAMS. And there will be found there already custodians to take charge of it without any extra appropriation for a special custodian.

Mr. OVERMAN. It has got a right to be there, and with a custodian it will be as open to the public there as it would be in the Library of Congress.

Mr. WILLIAMS. Unfortunately it would be more open to the public. The old Congressional Library is called the Congressional Library—

Mr. WARREN. May I ask the Senator a question right there?

Mr. WILLIAMS. One moment, because this is a right pretty thought. It is called the Congressional Library; and I remember that in Amos Cummings's lifetime he wanted to change the name to National Library. I said, "Why, Amos, you remind me of a man who wanted to strike out what seemed to be the unnecessary letters in words that carry by their existence in the word the history of the word itself. They tell you whether they came from the Norman French or from the Latin or whether by accident they came from the Spanish; like the men who want to strike the letter 'u' out of the word 'honour.'" I have never any patience with them. I am perfectly willing to see the letter "u" struck out of the word "labour," because it came directly from the Latin. So I said, "Amos, do not do that; let the history of the Library remain for all time. You are right about it having become a national library, but do not let us call it one; let us carry the name so that it will help those who want to study its history and find out what it was." It was originally a congressional library, but now it has become a national library. Of course, anybody who wants to study any book in that great library can go there and study it. It is free to the entire public to go to. It is true that Members of Congress still have some exclusive privileges in connection with it, which they ought to have. It can not, however, be said that it is open to anybody to any great extent over here where it now is.

Now I yield very gladly to the Senator from Wyoming first, because he interrupted me.

Mr. WARREN. The Senator has got very far away from the subject matter that I wanted to talk about. I wanted to ask him how often he visits the Senators' reading rooms in the Library and how many Senators within the range of my voice go there twice a year on an average?

Mr. WILLIAMS. I do not visit them at all, but I have books sent to me every week.

Mr. WARREN. But books could be sent as readily from over here.

Mr. WILLIAMS. But people who can not do that go to the public library over there. Students from all over this country are going there and people who are collecting facts to serve as a basis for history and all sorts of investigations are going to the Congressional Library all the time. It is a great institution of great public utility. I should like to see a man like McLaughlin, of Chicago, and I should like to see all these men—Henry Adams and men who have been studying this question—have equal access to these books, and have it right away. I am going to propose, therefore, in a moment to amend the amendment in the manner in which I have indicated and which I will again repeat. Now, I again yield to the Senator from Wyoming.

Mr. WARREN. The Senator knows, of course, that the monetary library has not been open like a library of fiction or like the ordinary library of reference, but that it is one more largely for Congress itself; and whether it should be in the Senate Office Building or the House Office Building the courtesies between the two Houses make that equal. So far as the accommodation of books of the library for the Senate is concerned, as the Senator admits, if he wants a book he sends for it; but the nap has not yet been worn off the carpet of the Senator's reading room, and I do not believe the average is one Senator a week the year around in that room.

Mr. WILLIAMS. Mr. President, one word. I have two reasons for wanting to modify this provision. I want to be frank about them. The first is the reason I have given, to wit: If you are going to do it at all, you ought to do it at once. If you are going to make this information accessible to everybody, you ought to do it as soon as possible, for—

If it were done when 'tis done, then 'twere well
It were done quickly.

My second objection is that under this "nigger in the woodpile" is the custodian at \$2,500, in whose employment for the purpose of taking care of these books I see no necessity, when the books can be carried over to the Congressional Library and be catalogued and taken care of by the regular Library force much better than any one custodian in the world could possibly take care of them. I mean by that every utility in connection with them could be served.

Mr. WARREN. I think there is no class of books anywhere nearly of the importance of this collection that does not have a special custodian in the library. You will have to have your man just the same. I do not know who this man is. He might go there or he might not, but when you take this collection to the library you will require a custodian for it.

Mr. WILLIAMS. I do not know who he is, but I know that the regular library force can catalogue these books and take

care of them. I do not know, but I should not at all be surprised to find that the custodian was very close to somebody on the Monetary Commission.

Mr. SMITH of Arizona. How many volumes are there in that library?

Mr. WILLIAMS. I have forgotten. It cost a big pile of money, but I have forgotten just how many books there are. I was astonished when I read a statement regarding it.

Mr. SMOOT. There are several thousand volumes; I should judge between eight and ten thousand volumes.

Mr. WILLIAMS. They cost some \$50,000, did they not?

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER (Mr. LEA in the chair). Does the Senator from Mississippi yield to the Senator from Utah?

Mr. WILLIAMS. I do.

Mr. SMOOT. I simply wanted to state that no matter what anyone may say as to the good accomplished by the Monetary Commission, they must admit that they have collected the best monetary library in all the world. I have heard men who knew, make that statement time and again. That library now is intact, and the man who is its custodian is peculiarly adapted for its care. He knows every volume thoroughly. Any Senator can ask him to bring him a reference upon any subject in the library, and he will be furnished with the book almost immediately. If the library is to be of any use whatever to Congress or to the people outside, there must be a custodian who knows the contents of the library. The present custodian, as I have before stated, is peculiarly fitted for this work. He is a graduate of one of the best universities in the United States; he has made a study of this particular question; and he knows, as I have said, almost everything that is in every book in that library. We are going to have monetary legislation. Most of the meetings to consider the subject will be held, as the Senator perhaps knows, in the Finance Committee room, where these questions will be discussed. I do think that it would be for the best interests of every Senator who is going at least to pass upon these great questions to have the library immediately at hand and have the custodian there, so that any question which may be asked while in meeting could be answered immediately and the information handed to the committee in five minutes after the request was made.

It is for that reason that I think it would be much better to leave the library where it is until the Monetary Commission shall have at least acted upon and presented monetary legislation to the Senate and the other House.

Mr. WILLIAMS. Mr. President, I am singularly lucky this afternoon in that everything said against the proposition which I am propounding reinforces me in my devotion to it. The Senator from Utah now tells us that this is the largest and best monetary library in the world. I presume that, with the Treasury of this great Government behind them, feeling that they were at liberty to spend all they wished to spend, the commission secured about the best selected monetary library in the world, and I do not doubt it is. I have looked over it; in fact I find some very curious things amongst it, and that is the very reason why I do not want to leave this precious jewel within the exclusive possession of the Senate of the United States. That is one reason why I want the Representatives of the people—and the Senator will pardon my devotion to the Representatives of the people; I was so long a part of them—I want the Representatives of the people to get a fair chance at them.

Mr. OVERMAN. I understand there is a good deal of jealousy between the Representatives of the people and the Senate because the Senate has passed a bill requiring this thing to be done, but the Representatives of the people say "No; they shall be placed in the House Office Building."

Mr. WILLIAMS. In the House Office Building?

Mr. OVERMAN. Yes.

Mr. WILLIAMS. Then I am trebly reinforced, because if the Representatives of the people want these books so badly that they are demanding that they be put in the House Office Building, then my proposition to compromise the issue and put the books where both Houses can have equal access to them is all the more recommended to my judgment. I hope there will not be a single vote against it. I now offer to amend—

Mr. WARREN. Will the Senator allow me a moment? It is quite certain that we shall not be able to finish this subject to-night; and, if the Senator is willing, I will be glad to lay the bill aside, so that one of the colleagues of the Senator on the other side of the Chamber may bring up a small matter which he wishes to have disposed of.

Mr. WILLIAMS. I will agree to that immediately after stating the amendment and giving notice of its pendency. I

move to amend the Senate amendment so that it will read, beginning at line 23, on page 12:

The library collected by the National Monetary Commission is hereby made a part of the Library of Congress and is placed under the administration of the Librarian of Congress; and the sum of \$250, or so much thereof as may be necessary, is hereby appropriated for the purpose of removing the books constituting it to the Congressional Library.

Mr. WARREN. So that the Senator may perfect his amendment, I will say that the present library occupies steel shelving and trimmings fitted to the particular rooms now occupied, and that shelving might not be applicable to the other library.

Mr. WILLIAMS. Then, I will modify the amendment, right after the word "books," by inserting "and the present stacks and shelving to the Congressional Library."

Mr. WARREN. Does the Senator wish to include any appropriation for new furnishings?

Mr. WILLIAMS. Does the Senator think that \$250 will be sufficient to do the work?

Mr. WARREN. Not to remove the books and supply the new furniture necessary to take care of them, because the present shelving is fitted to the room where the books now are, and will hardly fit the rooms to which they would be moved.

Mr. WILLIAMS. Very well, then, I will modify the amendment a little and make the appropriation \$500, or so much thereof as may be necessary.

Mr. WARREN. Let me call the attention of the Senator to another matter. This being a Senate committee amendment, if we strike it out, of course, something will have to be inserted in its place. As this bill will have to be settled in conference between the House and the Senate, I wish the Senator to consider, and let me know to-morrow, whether he would not like to include a sufficient sum so that it will leave some play room between the House and the Senate. The House may want to keep it on the the Senate side when we meet. I suggest that to the Senator.

Mr. WILLIAMS. Just at this moment I do not see that that will be necessary. It seems to me that in case of a difference existing as to the subject matter, the conferees could modify it in any way they chose.

Mr. WARREN. I have been pulled up rather sharply lately on the matter of changing items in conference.

The PRESIDING OFFICER. Before the bill is laid aside, the Chair will suggest that the amendment be stated, so that it may be considered as pending in its perfected form. The amendment as proposed by the Senator from Mississippi [Mr. WILLIAMS] will be stated by the Secretary.

The SECRETARY. It is proposed to amend the amendment of the committee so that it will read:

The library collected by the National Monetary Commission is hereby made a part of the Library of Congress and is placed under the administration of the Librarian of Congress; and the sum of \$500, or so much thereof as may be necessary, is hereby appropriated for the purpose of removing the books and the present stacks and shelving to the Library of Congress.

Mr. WARREN. I wish to say that I have agreed to lay aside the bill so that the Senator from South Carolina [Mr. SMITH] may ask for the consideration of a small matter, but before asking that the bill be laid aside, I desire to say that I hope we may proceed with the further consideration of this bill to-morrow morning immediately after the routine morning business. I have been in communication with two Senators who have special notices recorded in the calendar, one of whom desires me to proceed and the other will confer with me in the morning; so to those Senators who wish to be here when the bill is proceeded with I may say that the prospects are that we will go on with the bill to-morrow morning. I now ask that the bill be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the bill will be temporarily laid aside.

EIGHT-HOUR BILL.

Mr. LODGE. I ask that the 8-hour bill (H. R. 9061), as it passed the Senate may be printed, so as to show the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

KINGSTON LAKE BRIDGE, CONWAY, S. C.

Mr. SMITH of South Carolina. Mr. President, I have a bill that will cause no debate at all. It is simply to grant to the citizens of Conway, S. C., the privilege of building a bridge across a navigable stream. They had to go through this routine form. The matter was referred to the War Department for information, which they have furnished, and the Committee on Commerce has recommended that the bill be passed. I ask

unanimous consent for the present consideration of Senate bill 6777.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (S. 6777) to authorize the board of county commissioners of Horry County, S. C., to construct a bridge across Kingston Lake at Conway, S. C.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 8, after the word "commissioners," to insert "and approved by the Secretary of War," so as to make the bill read:

Be it enacted, etc., That the board of county commissioners of Horry County, S. C., be, and they are hereby, authorized to construct, maintain, and operate a steel or wood bridge across Kingston Lake at Conway, S. C., at such a point as may be determined by the said board of county commissioners, and approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 4, 1912, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, June 3, 1912.

The House met at 12 o'clock m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who are supremely wise, just, pure, and holy; whose mercy is from everlasting to everlasting, create within us as a ruling passion the desire to mold our characters into the likeness of our Maker, that we may be wise, just, pure, holy in all that pertains to life, and at least hear the words, "Well done, good and faithful servant, enter thou into the joy of thy Lord." And thine be the praise forever. Amen.

The Journal of the proceedings of Saturday, June 1, 1912, was read and approved.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to call up the bill (H. R. 23063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of the Civil War, with Senate amendments thereto, disagree to Senate amendments, and to ask for a conference.

Also, to call up the bill (H. R. 23557) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of the Civil War, with Senate amendment thereto, disagree to the Senate amendments, and to ask for a conference.

The SPEAKER. The gentleman from Missouri asks unanimous consent to call up the bills H. R. 23063 and H. R. 23557, with Senate amendments thereto, to disagree to the Senate amendments, and to ask for a conference. Is there objection? There was no objection.

The Chair announced the following conferees: Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGHAM.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6946. An act authorizing the sale of certain lands in the Flathead Indian Reservation to the town of Ronan, State of Montana, for the purpose of a public park and public-school site; and

S. 3203. An act to authorize the sale of certain lands within the Umatilla Indian Reservation to the city of Pendleton, Oreg.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3367. An act to amend section 2291 and section 2297 of the Revised Statutes of the United States, relating to homesteads; and

S. 405. An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3203. An act to authorize the sale of certain lands within the Umatilla Indian Reservation to the city of Pendleton, Oreg.; to the Committee on Indian Affairs.

S. 6946. An act authorizing the sale of certain lands in the Flathead Indian Reservation to the town of Ronan, State of Montana, for the purposes of a public park and public-school site; to the Committee on Indian Affairs.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 20111. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

MEMORIAL DAY.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent to print as a part of my remarks the able and patriotic address delivered by my colleague, the gentleman from Kentucky [Mr. LANGLEY], on Decoration Day at Glenwood Cemetery, in this city.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to print as a part of his remarks in the RECORD a speech delivered by Representative LANGLEY, of Kentucky, on Memorial Day. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, it is understood that this will appear in the RECORD at the end of the proceedings?

Mr. AUSTIN. Yes.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This is unanimous-consent day, and the Clerk will report the first bill on the Calendar for Unanimous Consent.

FIVE CIVILIZED TRIBES.

The first business on the Calendar for Unanimous Consent was the bill (S. 4948) to amend an act approved May 27, 1908, entitled "An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes."

Mr. CARTER. Mr. Speaker, I ask unanimous consent to have that bill passed without prejudice.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection?

Mr. CARTER. Mr. Speaker, I make the same request in respect to the bill H. R. 22083, relating to inherited estates in the Five Civilized Tribes in Oklahoma.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to pass without prejudice the bill H. R. 22083. Is there objection?

There was no objection, and it was so ordered.

MEXICAN WAR SURVIVORS.

The next bill on the Calendar for Unanimous Consent was the bill H. R. 14054, to increase the pensions of Mexican War survivors in certain cases.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I understand that all of the provisions of this bill are covered in the general pension act.

Mr. RICHARDSON. Mr. Speaker, I am informed that through the kindness of my friend from Illinois, Mr. MANN, a few days ago, while I was absent, the Mexican bill was called up on the Calendar for Unanimous Consent. The Mexican bill was placed on that calendar for the purpose of making pro-

vision for these veterans in the event that the Sherwood bill did not pass.

The SPEAKER. Then there is no need to pass this bill.

Mr. RICHARDSON. No; it should be stricken from the calendar.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill be laid on the table.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

EXCHANGE OF SCHOOL SECTIONS WITHIN AN INDIAN OR OTHER RESERVATION, ETC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19344) to authorize the Secretary of the Interior to exchange lands for school sections within an Indian, military, national forest, or other reservation, and for other purposes.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I think after they get through with any discussion I shall object.

Mr. RAKER. Will the gentleman object to the consideration of the bill?

Mr. MANN. I think so.

Mr. RAKER. Mr. Speaker, under the circumstances it is a long distance from here to California, and I have parties who have a good deal of information in regard to this matter. I hope by next Unanimous Consent Calendar day to have all the information desired in shape, and I ask unanimous consent that this bill be passed without prejudice until next Unanimous Consent Calendar day.

Mr. MONDELL. Mr. Speaker, I do not know I shall object to unanimous consent, but I do not understand why we should have to wait over for any information from California in reference to this bill. As a matter of fact, this is a bill in which every one of the public-land States is equally interested. We are all equally interested in having legislation, and it does not apply to California any more than it does to Wyoming, Montana, or any of these other States. It is simply an act declaratory of the present law, something made necessary by reason of the fact that there has been some difference of opinion in regard to the proper interpretation of the present law.

Mr. GARNER. May I interrupt the gentleman? Mr. Speaker, the last Unanimous Consent Calendar day we did not get through with the business on the calendar, and where a gentleman announces his intention to object to the bill anyway, it does not seem to me it is looking to the progress of business in the House to continue discussion on a bill where a gentleman is certain he is going to object in the end. If any gentleman in the House wants to have unanimous consent to extend his remarks in the Record on any bill on the Unanimous Consent Calendar he can get that privilege, but to use up 20 minutes or more in a discussion of a bill that is certainly going to be objected to, seems to me folly, and that the time of the House ought to be utilized on those bills that may be considered for the purpose of passing them.

Mr. RAKER. If the gentleman will allow me, we have not consumed two minutes upon this proposition. By the time the next unanimous-consent day comes around I will be in a position to give all the information that may be needed to avoid any possible objection to unanimous consent, and there ought not to be any objection to giving two weeks' time within which to do that and permit this bill to go over until next calendar day.

Mr. GARNER. I have no objection to the request of the gentleman from California to pass this without prejudice, and the gentleman from Illinois does not object to that, but why consume 30 minutes to accomplish the same purpose—

Mr. FOSTER. The gentleman does not think that a fair discussion of these bills is not a proper thing in the House?

Mr. GARNER. No; I do not object to a discussion of these bills; but when the gentleman from Illinois has already given notice that he is going to object I see no use in the discussion.

Mr. EDWARDS. But the gentleman from California simply wants it to go over now.

Mr. GARNER. He has a right to ask unanimous consent.

Mr. FOSTER. It occurs in the calling up of these bills there may be matter we do not understand and possibly an explanation of the object of the bill would make it so there would be no objection.

Mr. GARNER. Mr. Speaker, that is correct; and whenever the gentleman from Illinois [Mr. FOSTER] rises in his place and says that he would like to have this bill explained in order to determine whether he will object I am not objecting to that, but when the gentleman from Illinois [Mr. MANN] says that he

intends to object, then I see no necessity of continuing this discussion.

Mr. FOSTER. I judge the gentleman from Illinois states that he will object on his present information.

Mr. MANN. I stated I thought I should object; I did not say I intended to object.

Mr. FOSTER. The gentleman from California might convince the gentleman from Illinois that he was wrong.

Mr. RAKER. Mr. Speaker, let me say to the gentleman from Texas and the gentleman from Illinois—

Mr. JACKSON. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is to find out whether gentlemen are going to object to this bill or not.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that we pass, without prejudice, the consideration of this bill to the next Unanimous Consent Calendar day.

The SPEAKER. The gentleman from California asks unanimous consent to pass over this bill without prejudice. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman whether he thinks it will be sufficient to pass it over this day, or whether it will be necessary to pass it over a few more times?

Mr. RAKER. I will be in a position at the next unanimous-consent day to let it go on; and if not, I will have to take another course.

Mr. MANN. I do not object.

The SPEAKER. Is there objection to passing over this bill without prejudice? [After a pause.] The Chair hears none, and it is so ordered.

DISPOSAL OF SURPLUS LANDS, STANDING ROCK INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 109) to authorize the sale and disposition of the surplus and unallotted lands in the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect.

The Clerk proceeded to read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell and dispose of all that portion of the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, lying and being within the following-described boundaries, to wit: Commencing at a point in the center of the main channel of the Missouri River where the township line between townships 18 and 19 north intersects the same; thence west on said township line to a point where the range line between ranges 22 and 23 east intersects the same; thence north along the said range line to the northwest corner of section 19, in township 21 north, of range 23 east; thence east on the section line north of sections 19, 20, 21, 22, 23, and 24 to a point where the same intersects the range line between ranges 23 and 24 east; thence north along said range line to a point where the same intersects the State line between the States of South Dakota and North Dakota; thence west on said State line to a point where the range line between ranges 84 and 85 west in North Dakota intersects the same; thence north on said range line between ranges 84 and 85 west to a point where it intersects the center of the main channel of the Cannon Ball River; thence in a northeasterly direction down and along the center of the main channel of said Cannon Ball River to a point where it intersects the center of the main channel of the Missouri River; thence in a southerly direction along the center of the main channel of the said Missouri River to the place of beginning, and including also entirely all islands, if any, in said river, except such portions thereof as have been allotted to Indians: *Provided*, That sections 16 and 36 of the lands in each township therein shall not be disposed of, but shall be reserved for the use of the common schools of the States of South Dakota and North Dakota, respectively: *Provided further*, That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians: *Provided, however*, That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization, heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town site herein provided for) as have been heretofore set apart to such organization for mission or school purposes.

Mr. BURKE of South Dakota. Mr. Speaker—

Mr. FOSTER. Reserving the right to object—

Mr. BURKE of South Dakota. Mr. Speaker, the bill has not been read yet. The committee has reported a substitute, and the substitute in section 1 is exactly the same as Senate bill 109. I ask unanimous consent that, beginning on page 12, line 3, of the bill, the substitute be read instead of the original bill.

The SPEAKER. Without objection, the Clerk will read the substitute.

There was no objection.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell and dispose of all that portion of the Standing Rock Indian Reservation, in the States of

South Dakota and North Dakota, lying and being within the following-described boundaries, to wit: Commencing at a point in the center of the main channel of the Missouri River where the township line between townships 18 and 19 north intersects the same; thence west on said township line to a point where the range line between ranges 22 and 23 east intersects the same; thence north along the said range line to the northwest corner of section 19, in township 21 north, of range 23 east; thence east on the section line north of sections 19, 20, 21, 22, 23, and 24 to a point where the same intersects the range line between ranges 23 and 24 east; thence north along said range line to a point where the same intersects the State line between the States of South Dakota and North Dakota; thence west on said State line to a point where the range line between ranges 84 and 85 west in North Dakota intersects the same; thence north on said range line between ranges 84 and 85 west to a point where it intersects the center of the main channel of the Cannon Ball River; thence in a northeasterly direction down and along the center of the main channel of said Cannon Ball River to a point where it intersects the center of the main channel of the Missouri River; thence in a southerly direction along the center of the main channel of the said Missouri River to the place of beginning, and including also entirely all islands, if any, in said river, except such portions thereof as have been allotted to Indians: *Provided*, That sections 16 and 36 of the lands in each township therein shall not be disposed of, but shall be reserved for the use of the common schools of the States of South Dakota and North Dakota, respectively: *Provided further*, That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians: *Provided, however*, That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization, heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town site herein provided for) as have been heretofore set apart to such organization for mission or school purposes.

SEC. 2. That the lands shall be disposed of by proclamation under the general provisions of the homestead and town-site laws of the United States, and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereof; and no person shall be permitted to settle upon, occupy, or enter any of said lands except as prescribed in said proclamation: *Provided*, That prior to said proclamation the Secretary of the Interior shall cause allotments to be made to every man, woman, and child belonging to or holding tribal relations in said reservations who have not heretofore received the allotments to which they are entitled under provisions of existing laws: *Provided, however*, That the said Secretary is hereby authorized to designate the superintendent of the Standing Rock Indian School to allot each child born subsequent to the completion of the allotments herein provided for and 60 days prior to the date set by said proclamation for the entry of said surplus lands: *Provided further*, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be surveyed all the unsurveyed lands, if any, within said reservation, and to cause an examination to be made of the lands by experts of the Geological Survey, and if there be found any lands bearing coal or other valuable minerals the said Secretary is hereby authorized to reserve them from allotment or disposition until further action by Congress: *And provided further*, That the rights of honorably discharged Union soldiers and sailors of the late Civil and Spanish Wars or Philippine Insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged.

SEC. 3. That before any of the land is disposed of, as hereinafter provided, and before the States of South Dakota and North Dakota, respectively, shall be permitted to select or locate any lands to which it may be entitled by reason of the loss of sections 16 or 36, or any portions thereof, by reason of allotments thereof to any Indian or Indians, the Secretary of the Interior is authorized to reserve from said lands such tracts for town-site purposes as in his opinion may be required for the future public interests, and he may cause same to be surveyed into lots and blocks and disposed of under such regulations as he may prescribe, and he is hereby authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres in any one town site, and patents shall be issued to the lands so set apart and reserved for school, park, and other public purposes to the municipality legally charged with the care and custody of lands donated for such purposes. The purchase price of all town lots sold in town sites, as hereinafter provided, shall be paid at such time and in such installments as the Secretary of the Interior may direct. He shall cause not more than 20 per cent of the net proceeds arising from such sales to be set apart and expended under his direction in the construction of schoolhouses and other public buildings, or in improvements within the town sites wherein such lots are located. The net proceeds derived from the sale of such lots and lands within the town sites as aforesaid shall be credited to the Indians as hereinafter provided: *Provided further*, That all children of school age and of Indian parentage shall be admitted at all times to the public schools within said town sites on an equal footing with all other children admitted to the said schools.

SEC. 4. That the price of said lands entered as homesteads under the provisions of this act shall be as follows: Upon all lands entered or filed upon within three months after the same shall be opened for settlement and entry, \$6 per acre, and upon all lands entered or filed upon after the expiration of three months and within six months after the same shall have been opened for settlement and entry, \$4 per acre; after the expiration of six months, after the same shall have been opened for settlement and entry, the price shall be \$2.50 an acre.

SEC. 5. That the price of said lands shall be paid in accordance with the rules and regulations to be prescribed by the Secretary of the Interior upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry and the balance in five equal installments, the first within two years and the remainder annually in three, four, five, and six years, respectively, from and after the date of entry. In case any entryman fails to make the annual payments, or any of them, when due, all rights in and to the land covered by his entry shall cease, and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be reoffered for sale and entry under the provisions of the homestead law at the price fixed herein: *Provided*, That nothing in this act shall prevent homestead settlers from commuting their entries under section 2301, Revised Statutes, by paying for the land entered the price fixed herein,

receiving credit for the payments previously made. In addition to the price to be paid for the land the entryman shall pay the same fees and commissions at the time of commutation of final entry as now provided by law where the price of land is \$1.25 per acre; and when the entryman shall have complied with all the requirements and terms of the homestead laws as to settlement and residence, and shall have made all the required payments aforesaid, he shall be entitled to patent for the lands entered: *Provided further*, That any lands remaining unsold after said lands have been opened to entry for five years may be sold to the highest bidder for cash, without regard to the prescribed price thereof fixed under the provisions of this act, under such rules and regulations as the Secretary of the Interior may prescribe, and patents therefor shall be issued to the purchasers.

SEC. 6. That from the proceeds arising from the sale and disposition of the lands aforesaid, exclusive of the customary fees and commissions, there shall be deposited in the Treasury of the United States, to the credit of the Indians belonging and having tribal rights on the said reservation, the sums of which the said tribe may be entitled, which shall draw interest at 3 per cent per annum; that the moneys derived from the sale of said lands and deposited in the Treasury of the United States to the credit of said Indians shall be at all times subject to appropriation by Congress for their education, support, and civilization: *Provided*, That from any moneys in the Treasury to the credit of the Standing Rock Indians derived from the proceeds arising from the sale and disposition of their portion of the surplus and unallotted lands disposed of under section 6 of the act approved May 29, 1908, the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to distribute and pay to each of the Indians belonging to said tribe and entitled thereto a sum not exceeding \$40 per capita.

SEC. 7. That sections 16 and 36 of the land in each township within the tract described in section 1 of this act shall not be subject to entry, but shall be reserved for the use of the common schools and paid for by the United States at \$2.50 per acre, and the same are hereby granted to the States of South Dakota and North Dakota, respectively, for such purpose, and in case any of said sections or parts thereof are lost to either of the said States by reason of allotments thereof to any Indian or Indians or otherwise, the governor of each of said States, respectively, with the approval of the Secretary of the Interior, is hereby authorized, within the area described in section 1 of this act, to locate other lands not otherwise appropriated, not exceeding two sections in any one township, which shall be paid for by the United States, as herein provided, in quantity equal to the loss, and such selections shall be made prior to the opening of such lands to settlement.

SEC. 8. That the lands allotted, those retained or reserved, and the surplus lands sold, set aside for town-site purposes, or granted to the State, or otherwise disposed of, shall be subject for a period of 25 years to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country.

SEC. 9. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$180,000, or so much thereof as may be necessary, to pay for the lands granted to the States of South Dakota and North Dakota, as provided in section 7 of this act. And there is hereby appropriated the further sum of \$10,000, or so much thereof as may be necessary, for the purpose of making the surveys and allotments provided for herein: *Provided*, That the said \$10,000, or so much thereof as may be expended for the purpose of carrying out the provisions of this act, shall be reimbursed to the United States from the proceeds received from the sale of the lands described herein or from any money in the Treasury belonging to said Indian tribe.

SEC. 10. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections 16 and 36, or the equivalent, in each township, or to dispose of said land except as provided herein, or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of the said lands and to expend and pay over the proceeds received from the sale thereof only as received and as herein provided: *Provided*, That nothing in this act shall be construed to deprive the said Indians of the Standing Rock Indian Reservation of any benefits to which they are entitled under existing treaties or agreements not inconsistent with the provisions of this act.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to have the gentleman from South Dakota [Mr. BURKE] give some explanation of this bill. I have some communications from parties interested in the opening of this reservation, and it occurs to me that if the things contained in those communications are true, the Government ought not to open this reservation at this time and dispose of these lands.

The SPEAKER. Does the gentleman object?

Mr. FOSTER. I reserve the right to object.

Mr. BURKE of South Dakota. Mr. Speaker, the Standing Rock Reservation contains about 1,300,000 acres of land. It has all been allotted, with the exception of about 219,000 acres, which this bill proposes to put upon the market and to have sold to homestead settlers.

The Standing Rock Indians are one of the Sioux Tribes of Indians, and have in allotments the largest area of land of any tribe of Indians in the United States. The heads of families have 640 acres of land each. Their wives have 320 acres each. An unmarried Indian over the age of 18 years has 320 acres. Every child under 18 years of age has 160 acres. Consequently, a family of five in this tribe of Indians will have 980 acres in the husband and wife and 160 acres for each child, making in all 1,440 acres, which ought to be enough land for one family.

The original treaty, made in 1889, contemplated that after the allotments had been made the surplus lands should be disposed of and sold to homestead settlers. The theory of the law was that it would be beneficial to the Indians in many respects

to have the surplus lands settled upon and improved by the white people.

The communication that the gentleman from Illinois [Mr. FOSTER] refers to is from a delegation of Indians. This delegation came to Washington during the winter and spent some weeks here, and were twice before the Committee on Indian Affairs. They objected to the passage of this Senate bill for several reasons. The principal objection that they had to the bill was that they had not directly received any part of the proceeds from the sale of that portion of the Standing Rock Reservation which was opened to settlement under the law passed in 1908, and they were very solicitous that there be something paid to them from the sale of that land.

That law provides that the money shall go into the Treasury and be expended for the Indians for their support, civilization, and education. The Indians claim that the agent, Maj. McLaughlin, who negotiated with them before that law was passed, promised them that some part of the proceeds would be paid to them. After listening to this delegation and considering the communication which the gentleman referred to, the committee unanimously reported a substitute.

We have put into the substitute a provision by which not exceeding \$40 per capita may be paid from the proceeds of the sale of a portion of the reservation opened under the act of 1908, and I may say that one of the leading Indians of that delegation said to me before he left Washington that if there was a provision that they could have that payment, then they practically had no objection to the passage of the bill.

Another objection that they had to it was section 11, which provided that there should be paid 20 per cent of the proceeds received from the sale of the land opened under this act of 1908. They objected to that very strenuously, and that section is eliminated from the bill.

Another objection they had to the passage of the bill was that it provided for the appraisal of the land, and that it involved an expense of from fifteen to twenty-five dollars. We have eliminated that, and provided that the land shall be disposed of under terms to be fixed so that all land taken in the first three months shall be sold at a certain price, and at a less price for the next three months, and after that a price of \$2.50 an acre.

The department, in reporting upon this bill, recommends:

Notwithstanding the opposition to the opening of their reservation as expressed by the Indians in their council of November 28, 1911, I am of the opinion that the enactment of Senate bill 109, if amended as suggested herein, would be to the advantage of the Standing Rock Tribe at large.

We have made not only the amendments suggested by the department, but we have gone further, by making a provision that there shall be a per capita payment to the Indians.

If you will take the House report, you will find the report made by Maj. McLaughlin, the inspector who went to the Standing Rock Reservation and negotiated with these Indians, a man who has been in the Indian Service for more than 40 years, who for many years was the agent of the Standing Rock Indians, and he said in the concluding part of his report:

In conclusion, I desire to state that the Standing Rock Indians are well disposed and will acquiesce in any course pursued in the administration of their affairs; and notwithstanding their apparent opposition, as voiced by their chosen spokesmen, to the provisions of the pending bill, they will graciously accept whatever may be determined upon in this matter. Furthermore, having been intimately acquainted with the Standing Rock Indians for the past 30 years and believing that the opening of the surplus lands of their reservation will be beneficial to them as a people, as well as in the interests of the service, I respectfully recommend that legislation for the opening of their diminished reservation be enacted along the lines of Senate bill 109, Sixty-second Congress, first session, with the modifications herein suggested, and that at least one reasonable cash payment be made to them from the proceeds of their lands opened by the act of May 29, 1908.

Mr. GARNER. Mr. Speaker, I think the gentleman from South Dakota has made a very clear explanation of the bill. Undoubtedly the gentleman from Illinois [Mr. MANN] knows whether he is going to object to it. I want to give notice now that when these bills are called up, as they come up I am going to call for the regular order; and if gentlemen have not sufficiently examined a bill to know whether they will object to it, they will have to take the consequences. I demand the regular order.

Mr. BURKE of South Dakota. I do not understand that the gentleman objects to this bill—

Mr. GARNER. I do not object to the bill.

The SPEAKER. Did the gentleman from Texas object?

Mr. GARNER. I did not. I demand the regular order.

The SPEAKER. The regular order is what is going on now.

Mr. GARNER. The regular order is for the Chair to put the question whether or not there is objection.

The SPEAKER. The regular order is for Members to talk these things out. They sometimes exceed the limits of patience, but the Chair has no control of that.

Mr. GARNER. Mr. Speaker, if a gentleman, as the gentleman from Illinois [Mr. MANN] has done in this instance, reserves the right to object, and any gentleman in his place rises and says, "I demand the regular order," it is the duty of the Chair then to ask if anyone objects to this bill.

The SPEAKER. Perhaps that is true.

Mr. GARNER. I think it is true, and that is what I have done.

The SPEAKER. Is there objection?

Mr. FOSTER. Reserving the right to object—

Mr. EDWARDS. I object.

The SPEAKER. The gentleman from Georgia [Mr. EDWARDS] objects.

Mr. STEPHENS of Texas. I hope the gentleman will not object to this bill. If there were any objectionable features in it, they have been removed.

The SPEAKER. The gentleman has already objected. The bill goes off the calendar, and the Clerk will report the next one.

AMERICAN TRADE AND FOREIGN SHIPPING MONOPOLIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23470) to protect American trade and American shipping from foreign monopolies.

The bill was read, as follows:

Be it enacted, etc., That whenever in a proceeding brought under the provisions of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," it shall be adjudged that the owners, managers, or operators of any vessel or vessels, whether of the United States or of any foreign country, are engaged in a contract, combination, or conspiracy in restraint of interstate or foreign trade or commerce, or are monopolizing or attempting to monopolize any part of such trade or commerce, in violation of such act, the court may, by its judgment or decree, prohibit all vessels employed pursuant to such contract, combination, or conspiracy, or in such monopolization or attempt to monopolize, from entering at or clearing from any port of the United States; whereupon it shall be unlawful for such vessel or vessels to so enter or clear until the court shall find that such contract, combination, or conspiracy has been canceled, terminated, or dissolved, or such monopolization or attempt to monopolize ended.

Sec. 2. That a penalty of \$25,000 shall be imposed upon any vessel which shall enter or clear from any port of the United States in violation of the provisions of a judgment or decree rendered as provided in section 1 of this act, for each and every such entry or clearance, which penalty or penalties may be recovered by proceedings in admiralty in the district court of the United States for the district in which said vessel may be, and which court may direct the sale of said vessel for the purpose of realizing the amount of said penalty or penalties and cost.

Sec. 3. That the Postmaster General is hereby authorized and directed to cancel any contract for carrying the ocean mails pursuant to the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce," on satisfactory evidence to him that any vessel performing such a service under such contract is, at the time of performing such service, owned, operated, or controlled by any person or persons who, in any proceeding, civil or criminal, instituted by the Government of the United States, have been adjudged by a court of the United States to have violated the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," and that said vessel performing such a service under such contract at the time of performing such service is being used to carry out the purposes and objects adjudged unlawful in such proceeding.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask some gentleman to explain this bill.

Mr. GARNER. I demand the regular order.

The SPEAKER. The rule ought to be construed in some reasonable way. The House is not obliged to vote on a bill or give unanimous consent instantly without knowing what there is in the bill. The Chair thinks there ought to be a reasonable limit. The Chair is with the gentleman from Texas that far.

Mr. HARDY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDY. My impression is that on the last unanimous-consent day this bill was up for unanimous consent and was being considered.

The SPEAKER. Was there a reservation of the right to object?

Mr. MANN. This bill was not reached on the last unanimous-consent day.

Mr. ALEXANDER. Yes; it was.

Mr. GARNER. Yes; it was, and it went over.

Mr. HARDY. We were engaged in the discussion of it. I do not believe there was any objection to it.

The SPEAKER. The Chair will ask the gentleman, for information, how it happened that if this bill was being discussed at the time the House adjourned on last unanimous-consent day there are six or eight bills ahead of it on the calendar to-day?

Mr. ALEXANDER. I think it occurred in this way, that other bills preceding it had been passed over by unanimous

consent, and for that reason they had precedence on the Unanimous Consent Calendar to-day.

Mr. MANN. That is correct.

Mr. ALEXANDER. It is a fact that this bill was being considered.

Mr. MANN. There was a reservation of the right to object.

Mr. ALEXANDER. The gentleman from Illinois [Mr. MANN] and others discussed it somewhat.

Mr. STEPHENS of Texas. I requested that two of these preceding bills be passed over on account of the sickness of the gentleman from Oklahoma [Mr. CARTER].

The SPEAKER. The Record will show.

Mr. GARNER. If I may be indulged a moment, I have no desire to cut off opportunity to ascertain the purport of a bill before the House, but the Chair will remember that on the last unanimous-consent day we considered the Unanimous-Consent Calendar all day and yet did not finish the calendar.

The SPEAKER. No; but there were three pages and a half of that calendar.

Mr. FOSTER. I think we did remarkably well last unanimous-consent day.

Mr. GARNER. If we are going to take up 30 minutes or an hour in the discussion of each bill, and then if some gentleman is going to object, he undoubtedly knows whether he intends to object, and I do not believe it is in the interest of public business to let the discussion proceed indefinitely under such circumstances.

Mr. FERRIS. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. FERRIS. I would like to call the gentleman's attention to the fact that on Calendar Wednesday when a Member is recognized he has the right to speak for one hour, and I would like to call attention to the fact that we have not been getting for a long while the benefit we ought to; we have not got off the calendar on Wednesday but one bill—and I might say on the side that that rule ought to be amended—

Mr. MANN. It ought to be abolished.

Mr. FERRIS. This is the only possible hope that Members have of getting their little bills through. I hope the gentleman from Texas will exercise more leniency than he has manifested this morning so that we may explain these bills, at least for a little time, and let the Member who feels it his duty to reserve an objection know whether he is going to object or not. Here we are with a calendar loaded to the guards with bills. No one himself, unless he is more diligent than the most of us, can tell the moment the title to a bill is read whether he is going to object or not. Unless he is given more latitude than the gentleman—and I want the gentleman from Georgia [Mr. EDWARDS] to hear this—unless he is given more latitude to explain it, the Unanimous Consent Calendar will be of no more use than Calendar Wednesday. These bills, while seemingly unimportant, are important, and they ought to be disposed of. The big appropriation bills have the right of way, and I think a man should hesitate a good while before he cuts off all possibility of getting these local bills considered.

Mr. GARNER. Mr. Speaker, the gentleman from Oklahoma evidently misunderstands my object in the premises. In the first place, referring to Calendar Wednesday, I have no way under the rules of hastening matters, or else I would take that procedure. Under the rules of this House on Calendar Wednesday when a bill is taken up and a Member gets the floor he is entitled to one hour, unless the previous question is moved, and the next gentleman has an hour. So, under the rules, if I am not in charge of a bill I do not feel authorized to move the previous question.

But the Unanimous Consent Calendar; I am anxious to let the man who has a bill have the opportunity to have it considered. I am not making objection myself, and each Member of the House will realize that I have made no objection to any bill that has come up, because I believe if you let a bill come up and it is a bad bill the House will defeat it on its merits; but I do protest against this manner of discussing a bill a half an hour or an hour and then some gentleman saying, "I object." You have had the entire discussion with no benefit to the House, whereas if you permit a bill to come up on its merits and then discuss it, if it is not meritorious the House will refuse to pass it.

Now, one word further: I do not propose to insist on the regular order as each one of these bills is called, but I am calling the attention of the House at this time to the fact that they may take notice that a prolonged discussion of any bill before the question is put as to unanimous consent will not be permitted, but the regular order will be demanded.

Mr. MANN. Mr. Speaker, the Clerk reported the bill H. R. 23470, and thereupon I reserved an objection, and thereupon the

gentleman from Texas [Mr. GARNER], without waiting for anything, demanded the regular order, evidently for the purpose of having the bill brought before the House for consideration or objected to. If no objection was made to the consideration of the bill, and the bill came before the House, it might take all the day under the rules of the House. It is a shorter procedure, as a rule, to reserve an objection until an explanation is made.

Now, this bill is not a local bill; no more important bill has been presented to this House than this bill, and no more drastic legislation has been proposed to this House than is contained in this bill. I should be unwilling to have it pass without some statement, so that Members of the House should not hereafter be permitted to say that this bill with all of its provisions, drastic as they are, passed by unanimous consent and I knew nothing about it. I want an explanation of the bill, so that members are put on notice and know what the bill is when they vote for it. As I say, it is frequently a shorter procedure to reserve an objection.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. If the question was put and unanimous consent given for the consideration of the bill, would it not be opened up by discussion?

Mr. MANN. Yes; and it might take a day.

Mr. GARNER. And if it is as important a bill as the gentleman says it is, why should it not take all day, not only to-day but the next day, to consider important legislation like this?

Mr. MANN. No; it ought not to take all day on unanimous-consent day. If a bill is called up and the bill is found to be so important that it ought to receive full consideration and discussion, objection ought to be made, because it ought not to be taken up on unanimous-consent day.

Mr. GARNER. Then ought not the gentleman from Illinois to make the objection at once? A measure that the gentleman says ought to take more than one day to consider, ought not the objection to be made at once?

Mr. MANN. I have not said that it ought to take more than one day to consider it. I have not said that it ought to take 10 minutes. I should think 10 minutes ought to be enough, and possibly less time to state what every bill is, so that every Member can have brought home to him what it is.

The SPEAKER. The truth about the whole situation is this: There are three processes of getting a bill up which are exceptions to the general rule, and all three are intended to expedite, not to retard, public business. The first one is by unanimous consent, the second is by suspension of the rules, and the third is by a motion to discharge the committee. Evidently the philosophy of it is that bills would be put on the Unanimous Consent Calendar to which there could be no reasonable objection—that is, when Members find out what is in the bill there will be no objection to it. The two-thirds rule takes in a class of bills which are a little more difficult.

The gentleman from Texas [Mr. GARNER] is technically right when he demands the regular order, which means that the Chair should immediately put the question, "Is there objection?" But if that were done, without any chance for explanation, Members would object, as we have already seen them do, to every bill that was called up, and thereby make a farce out of the Unanimous Consent Calendar. Of course, the theory is that every Member understands every bill which comes up here, but that is a very wild presumption. [Laughter.]

When a bill is read the Chair does the best he can to keep order, but frequently there is so much confusion that Members do not know what is in the bill when the Clerk gets through. No Member ought to be refused the privilege of reserving the right to object, but to strike it out would be to the detriment of somebody else.

Some of these bills that are called up by unanimous consent are extremely important bills, and there ought to be a reasonable time allowed upon them. Whenever the Chair thinks a reasonable time has come, he puts the question for unanimous consent. Undoubtedly allowing a reasonable time for inquiries touching the contents of a bill tends to expedite the public business.

As far as Calendar Wednesday is concerned, the Chair is very frank to state publicly what he has stated privately, that he believes that rule ought to be changed and a limit fixed to the time that any gentleman can hold up the House upon that day. [Applause.]

The gentleman from Illinois [Mr. MANN] upon this bill has reserved the right to object, and the Chair is willing to hear him. Is there objection?

Mr. MANN. Mr. Chairman, I have no desire to be heard. I want to hear something about the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

I would like to inquire what the RECORD shows with reference to the status of this bill.

The SPEAKER. The RECORD shows that when the House adjourned upon last unanimous-consent day the bill was in precisely the condition that it is now in. The gentleman from Kentucky [Mr. SHERLEY] reserved the right to object and proceeded to make some remarks, and the gentleman from Illinois [Mr. MANN] then suggested the absence of a quorum, whereupon the gentleman from Alabama [Mr. UNDERWOOD], seeing there was no quorum, moved that the House adjourn, and the House did adjourn.

Mr. ALEXANDER. Mr. Speaker, I will undertake to briefly explain this bill. As has been suggested, it is an important bill, but it is not at all complicated in its provisions. On account of its importance and its far-reaching effect, I hope nobody will object to its consideration, for I do not believe there is any gentleman on this floor who is friendly to the combinations, whether they be domestic or foreign, at which this bill strikes. When the bill was first introduced in the House by the gentleman from Washington [Mr. HUMPHREY] it simply provided that no foreign ship in a combination or pool should be permitted to enter or depart from an American port under the penalties similar to those prescribed in section 2 of the bill. That did not meet the views of the committee. It was then referred to the Department of Justice for consideration and report to the committee. A substitute for the bill was sent to me as chairman of the Committee on the Merchant Marine and Fisheries from the Department of Justice. After consideration that bill did not meet the view of the committee. I then requested the Attorney General to appear before the committee. He kindly did so, and the provisions of the substitute bill were discussed at length. As I stated, the original and the substitute bill were aimed at foreign shipping pools or combinations. The committee suggested that it should apply to domestic as well as foreign combinations. The Attorney General readily yielded to that suggestion. It was also suggested that the law should be so framed that there would be no doubt that the courts, having found that ships were in these unlawful combinations and pools in violation of the terms of the Sherman Antitrust law, should have the authority in the decree to expressly provide that no ship used as an instrument to carry out the unlawful purpose of the combination should be permitted to enter or depart from an American port until the court should find that the combination or pool no longer existed. Also that section 2 should provide that if in the meantime any vessel should enter or depart from an American port, which vessel by the terms of the decree was prohibited from so entering or departing, it should be subject to the penalties prescribed in section 2. The Attorney General concurred in the suggestions of the committee, and sections 1 and 2 were redrafted to conform to that view. The bill further provides that the Postmaster General shall cancel any mail contract which may have been entered into with a company the vessels of which are embraced in the decree of the court and are being operated in violation of law. That is the substance of the bill, and it is simply to make more effective the provisions of the Sherman antitrust law and provide a better remedy for the violation of that law.

Those who have studied the question at all agree that not only the foreign shipping interests are in these pools or combinations, but that our domestic shippers, our coastwise shipping, as far as that is concerned, are all to a more or less extent in these combinations or pools. After full consideration by the committee and after conferences with the Department of Justice, and finally after having had the Attorney General before the committee and having discussed the matter thoroughly, this bill was evolved and has the approval of the Department of Justice.

Mr. HARDY. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. ALEXANDER. Certainly.

Mr. HARDY. I would like to state that it is also the purpose of this bill to make certain the authority of the court to render the decree which the Attorney General said should be asked for in the suits pending against these unlawful combinations, and the Attorney General thought it might be essential to have this bill passed into law in order to efficiently administer the proceedings of the court.

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman for the suggestion. Suits are already pending in the Federal courts in New York the purpose of which is to dissolve these rings or pools or unlawful combinations; and while the Attorney General did not say that the court has no power under the

Sherman antitrust law to enter a decree to the effect that vessels in the pool might not enter or depart from our ports so long as the rings, pools, or unlawful combinations exist, yet we wanted it in the form of express law that it should be a part of the decree of the court. Hence we provide:

That whenever in a proceeding brought under the provisions of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," it shall be adjudged that the owners, managers, or operators of any vessel or vessels, whether of the United States or of any foreign country, are engaged in a contract, combination, or conspiracy in restraint of interstate or foreign trade or commerce or are monopolizing or attempting to monopolize any part of such trade or commerce in violation of such act the court may, by its judgment or decree, prohibit all vessels employed pursuant to such contract, combination, or conspiracy, or in such monopolization or attempt to monopolize, from entering at or clearing from any port of the United States, whereupon it shall be unlawful for such vessel or vessels to so enter or clear until the court shall find that such contract, combination, or conspiracy has been canceled, terminated, or dissolved, or such monopolization or attempt to monopolize ended.

In my view, the chief merit of this bill is this, that after it has once been judicially determined that these companies have been in a combination or ring or pool and the court has expressly decreed that the vessels named shall not enter or depart while the combination exists, it throws the burden on the companies to show that the ring, pool, or combination has been dissolved and that the ring, pool, or combination no longer exists, and the burden is not upon the Government, as it would have been in the original bill, to prove it in each case.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. Certainly.

Mr. TOWNER. I understood the gentleman to say, although I was unable to hear him distinctly, that the bill as it now stands meets with the approval of the Department of Justice.

Mr. ALEXANDER. Yes.

Mr. TOWNER. Is it the opinion of the Department of Justice that the Sherman antitrust law is sufficient to bring these foreign combinations that are now doing this business under its jurisdiction?

Mr. ALEXANDER. Yes.

Mr. TOWNER. I am quite sure that it would be possible to bring them under its jurisdiction, but I am not sure at all that they are now under its jurisdiction.

Mr. ALEXANDER. I will say to the gentleman that the Attorney General has no doubt upon that question. There are two suits now pending, one relating to the Far Eastern trade and one to the north Atlantic trade, involving that question.

Mr. TOWNER. I take it the gentleman assumes or takes for granted the proposition that this foreign shipping can be brought within the jurisdiction of the Sherman antitrust law.

Mr. ALEXANDER. Yes; of course, we have a right under the Constitution, which vests in Congress the power to regulate commerce between the States, and foreign commerce, to legislate on the subject matter, and it is our opinion these vessels that have entered and departed from American ports come under the provisions of that law.

Mr. TOWNER. Well, the difficulty, I suppose, lies with the determination whether or not a trust which was entirely foreign in its makeup and constituent parts could be brought under the jurisdiction of the Sherman antitrust law unless so specifically stated. It seems to me that is rather a serious question and one I have not given sufficient consideration—

Mr. ALEXANDER. The answer of the Shipping Trust is that we can not enforce this law for the reason that 90 per cent of our commerce is carried on foreign ships, and if we should undertake to enforce the provisions of this act we would cut off our means of transportation of our goods in foreign commerce. But the answer to that is that the prosperity of those companies depends upon their commerce with the United States, and we take it that rather than subject themselves to the penalties under this act they will obey the law, otherwise they will be the greater losers, and, next, we are not disposed to yield to any such suggestion as that.

Mr. TOWNER. I would like to ask the gentleman whether it would not be easy to have an amendment to this bill to place them unquestionably and specifically under the terms of the Sherman antitrust law?

Mr. ALEXANDER. Well, we would not care to suggest at this time, with two suits pending in the United States District Court of New York in which demurrers have been overruled, that there is any lack of authority under the Sherman antitrust law to enforce the law against this ship combination.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to protect American trade and American shipping from domestic and foreign monopolies."

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENLARGED HOMESTEADS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5428) to amend section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to provide for an enlarged homestead," approved February 19, 1909, be, and is hereby, amended so as to read as follows:

"SECTION 1. That any person who is a qualified entryman under the homestead laws of the United States may enter, by legal subdivisions, under the provisions of this act, in the States of Arizona, Colorado, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming, 320 acres, or less, of nonmineral, nonirrigable, unreserved, and unappropriated surveyed public lands which do not contain merchantable timber, located in a reasonably compact body, and not over $1\frac{1}{2}$ miles in extreme length: *Provided*, That no lands shall be subject to entry under the provisions of this act until such lands shall have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known source of water supply.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object—

Mr. BUCHANAN. Mr. Speaker, reserving the right to object—

Mr. MANN. As I understand this bill, while it names a number of States which should have the enlarged-homestead law as the Senate passed it, one is North Dakota, and as the House committee reports it, they have an addition of California.

Mr. RAKER. Yes, sir.

Mr. MANN. What reason is there for extending the enlarged-homestead law to California or North Dakota?

Mr. RAKER. Of course, the gentleman is aware that it applies to Colorado, Montana, Nevada—

Mr. MANN. Yes; to these other States named.

Mr. RAKER. For the same reason that it is necessary to apply it to the other States. There is a large quantity of land in the east and southeast of California where a man has a present homestead, and if he could enter 160 acres and cultivate it or cultivate one-eighth of it and then continue on until he makes final proof, he is in better shape to make a living and provide for his family and himself and build up the country. The reason for North Dakota is specified in Senator GRONNA's letter to the committee in the Senate when it passed the bill.

Mr. MANN. Well, Mr. Speaker, we made the enlarged-homestead law apply first to one or two States, and we have increased it on the theory that there were certain arid lands in the West this side of the Rocky Mountains where it was impossible to do anything without having more than 160 acres. In some places it has been abused and in some places it has been a very beneficial act, but it seems to me we ought to have very full information in regard to it, and there is absolutely no information in regard to it in relation to California.

Mr. RAKER. I want to call attention to the fact that this matter was submitted to the department, and the gentleman will find full information on page 3 of the report. They have gone into the matter thoroughly and reported in favor of this bill. The same circumstances which would call for the application of this extended homestead to Nevada, Colorado, and New Mexico call for it so far as the south and east of California are concerned.

Mr. MANN. How much land is there in California that this bill would apply to if it should be passed?

Mr. RAKER. I should believe possibly half a million acres.

Mr. MANN. That is down in the lowlands of the southeastern part of California?

Mr. RAKER. Along the eastern side of the State, and the southeastern, and such places.

Mr. MANN. Some of it, if we gave 320 acres or 32,200 acres, you could not make a living, and the gentleman does not expect to apply it there with any effect?

Mr. RAKER. Yes; the eastern part of the State, and places like that.

Mr. MANN. The bill ought not to be passed, because it would be a pure confidence game.

Mr. RAKER. In this the gentleman from Illinois is entirely mistaken, and I hope there will be no objections and that the bill with the amendment will pass.

Mr. MONDELL. Will the gentleman from Illinois yield for a moment?

Mr. MANN. Certainly.

Mr. MONDELL. I will say to the gentleman from Illinois I made some inquiry of the Land Office officials with reference to the situation in California with regard to the enlarged

homestead laws. I can say that it is the opinion of the officials charged with the responsibility of administering the homestead laws that there are some areas of land in California in different sections to which the enlarged homestead law might properly be applied. The gentleman recollects that this law does not apply to any lands until the Secretary of the Interior designates them as lands of a character not irrigable at a reasonable cost. It enlarges the homestead area as to certain classes of lands, because on those classes of lands more than 160 acres is necessary, or believed to be necessary, for the support of a family. They must be nonirrigable and nonmineral and not containing merchantable timber. They are either dry lands, where they must practice dry-farming methods, or very rough lands in the hills where but a small portion of the 320 acres can be cultivated and where that area is necessary for a permanent home for the support of a family.

I think there is no question but that in the two States now proposed to be embraced within the provisions of the bill there are considerable areas which the Secretary will probably designate as falling under the provisions of the act.

Mr. MANN. The provision of the law is that "no lands shall be subject to entry under the provisions of this act until such lands shall have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known water supply." Of course, if the land is such that it does not require irrigation at all, it still may be taken up under the provisions of this law?

Mr. MONDELL. Yes.

Mr. MANN. There is much land in California that does not require irrigation, where we ought not certainly to give more than 160 acres. Yet under the provisions of this law that land which has a plentiful supply of water fall might be taken up under the provisions of the law in areas of 320 acres.

Mr. MONDELL. I suppose the gentleman is aware of the fact that these entries are limited to lands that do not contain merchantable timber. There are now no lands in the State of California subject to homestead entry, nonirrigable and non-timbered, where the entryman does not require more than 160 acres to care for a family and to make a fair home.

Mr. MANN. I am not aware of that, and, with due respect to the gentleman, I do not think he is aware of it.

Mr. MONDELL. The gentleman thinks he is not aware of it, but if the gentleman had lived as long as I have lived in the West—

Mr. MANN. In California?

Mr. MONDELL. I have not lived in California; but if the gentleman recalled the successive waves of homestead seekers who have gone over that land in the last 40 years he would realize that if there were 160 acres in that territory that was good land it would long since have been taken.

Mr. MANN. There were more acres of land taken up last year than in any year in the history of the country—much of it good, new land.

Mr. CAMPBELL. Mr. Speaker, will the gentleman from California permit a question?

The SPEAKER. Does the gentleman from California yield to the gentleman from Kansas?

Mr. RAKER. I do.

Mr. CAMPBELL. Does this apply to lands in the neighborhood of San Bernardino, Cal.?

Mr. RAKER. If the lands come within the description of the bill, that they are nonmineral and nonirrigable and nontimbered and not appropriated, and, in the opinion of the Secretary of the Interior, not susceptible of irrigation at a reasonable cost.

Mr. CAMPBELL. But the lands in that section of the country are irrigable, and anywhere from 10 to 20 or 30 acres of land makes a ranch upon which men are making a good living.

Mr. RAKER. Oh, no.

Mr. CAMPBELL. Oh, I have been there.

Mr. RAKER. That land could not be entered under this act.

Mr. CAMPBELL. The gentleman said it would apply to land in that neighborhood. If it does apply to it, or if it could be made to apply to it, I would certainly object, because 40 acres would make an ample ranch.

Mr. RAKER. I mean only lands that are designated by the Secretary in San Bernardino County, not in the city. The unoccupied lands in the county are very extensive. Take it up in Mono and Modoc and Lassen and other counties of that character and it would apply and it would be beneficial. This matter was taken up with the Secretary of the Interior, and he makes a report to the effect that the department approves it and sees no objection to it. And it applies in the same way as to Nevada and Oregon and other States adjoining.

Mr. CAMPBELL. I would rather have the gentleman's own opinion in regard to a policy than that of some clerk in a General Land Office or in the Department of the Interior, if he knows about the subject.

Mr. RAKER. I would say to the gentleman that from personal experience I am satisfied that with the restrictions here specified it would be a good thing, because there are many acres of land in that country that would come under private use and taxation if we could add to the holding of a homesteader a sufficient amount to enable him to handle it by virtue of expending the money necessary to put it under successful cultivation.

Mr. CAMPBELL. Well, there are so many people without any sort of homestead that I do not think it is very good policy to enlarge the size of the homestead where it is possible to irrigate and make 10 or 20 or 30 acres a sufficient homestead for anyone.

Mr. RAKER. This does not do that.

Mr. CAMPBELL. Here is a plan to enlarge a homestead to 160 acres.

Mr. GRAHAM. The bill contains the words "or less," and the discretion is given to the Secretary to make it as low as 40 acres.

Mr. CAMPBELL. It can not always be predicted whether land can be irrigated or not. An inspector of the General Land Office might be sent out to inspect a piece of land, a section of country, and he might report back, "No; this can not be irrigated." But some practical engineer could go there and construct an irrigating ditch and irrigate that whole section of country.

Mr. GRAHAM. If the department declares it to be nonirrigable, the chances are that it is nonirrigable. And would it not be better to utilize it now than to wait to see if in the future a spring might break out or some sort of water supply could be found?

Mr. CAMPBELL. Oh, well, there is sufficient water supply out there if engineers can be found to construct irrigating ditches. They are constructing them and extending the irrigable area constantly.

Mr. GRAHAM. This land is above the source of any known water supply.

Mr. FERREIS. Mr. Speaker, I want the gentleman to look at that proviso on page 2:

That no lands shall be subject to entry under the provisions of this act until such lands shall have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known source of water supply.

It seems to me that is about as secure as you could possibly make it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, after the word "Arizona," insert the word "California."

The amendment was agreed to.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. RAKER, a motion to reconsider the last vote was laid on the table.

CHEYENNE AND ARAPAHO SCHOOL LANDS, OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22647) providing for the sale and entry of certain lands in the State of Oklahoma, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the following-described tracts of land within the State of Oklahoma, to wit, the southeast quarter and the south half of the northeast quarter of section 30, the east half of section 31, and section 32, all in township 19 north of range 13 west of the Indian meridian; and the west half of section 5 and the northeast quarter of section 5, and section 6, all in township 18 north of range 13 west of the Indian meridian; and also any other tract or tracts of land within what was formerly the Cheyenne and Arapaho Indian Reservation which heretofore may have been reserved for agency or school purposes which, in the judgment of the Secretary of the Interior, are no longer needed or necessary for the purpose for which said tract or tracts were originally reserved; and said lands shall be opened to entry and settlement and the proceeds thereof disposed of under the conditions, terms, and provisions prescribed in the act approved June 17, 1910, entitled "An act to open to settlement and entry under the general provisions of the homestead laws of the United States certain lands in the State of Oklahoma, and for other purposes."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman a question. I notice that the department in reporting upon this bill states that it has authority now to make sale of the land in question. Is that the case?

Mr. MORGAN. Mr. Speaker, in answer to the gentleman's inquiry I will state that I have in my hand a letter from Assistant Secretary Adams, dated May 21, 1912, and addressed to Hon. John H. Stephens, chairman of the Committee on Indian Affairs, which letter is very brief and will probably explain that. He says:

Sir: Referring to the report of the department of May 2 relative to H. R. 22647 providing for the disposition of certain lands embraced within the Cantonment school and agency reserve, Oklahoma, Hon. Dick T. Morgan calls attention to the reference therein to the act of June 17, 1910 (36 Stat. L., 533), and suggests that the act cited does not now afford authority for any disposition of the lands covered by the proposed bill. By reference to the act it appears that Mr. Morgan's contention is correct, and I am so advising your committee in accordance with his request.

Respectfully,

SAMUEL ADAMS,
First Assistant Secretary.

In other words, it was an oversight that this statement was made in the first letter of the Secretary of the Interior, which is printed by the committee in its report.

Mr. MANN. The gentleman means that the department was very careless in making such a statement as that.

Mr. MORGAN. I call it an inadvertence, an oversight.

Mr. MANN. This bill proposes to make a sale of land now occupied for a school, which sale the superintendent of the school did not recommend, and then the bill provides that the proceeds of the sale shall be deposited in the Treasury to the credit of the Indians. Objection has been made by some of the Indians to the sale of the lands. The committee in its report says that that objection is not valid, because the Indians have been paid for the land and have no interest in it. If that is so, why should the proceeds be turned into the Treasury for their benefit?

Mr. STEPHENS of Texas. I will say to the gentleman that it will be a gratuity.

Mr. MORGAN. Mr. Speaker, the Cheyenne and Arapaho Indians occupied something like 2,000,000 acres of land. The Government, in treating with the Indians, allotted 160 acres to each Indian. In that treaty the Indians ceded all their right, title, and interest to lands other than their allotments. Now, there were certain schools, with lands surrounding these schools, which were used for school and agency purposes by the Government. These lands, technically, were ceded to the United States; so that, legally speaking, these Indians have no right, title, or interest in those lands. Heretofore, in opening a small school reservation of this kind, Congress—very wisely, in my opinion—by the act of June 27, 1910, provided that the proceeds of the sale of these lands should be placed in the Treasury of the United States to the credit of the Cheyenne and Arapaho Indians. Now, it is thought that, as a matter of justice and right to these Indians, the proceeds from the sale of these little remnants of land reserved by the President for school purposes ought not to go to the people of the United States, but ought to be preserved for school purposes or some worthy purpose for the benefit of these Indians.

Mr. MANN. If the gentleman will permit me, I call his attention to the report of the committee in this case. Among other things, the report says:

To the letter of the Secretary of the Interior is also attached a letter, signed by the Indians, opposing the disposal of these lands, but the Indians have been misled relative to the land. This is shown in the closing sentence in the petition, which reads as follows: "We understand that when this reserved land is no longer needed for school and agency purposes, the land reverts to the Cheyenne and Arapaho Indians."

That is quoted from the petition of the Indians. Now, the committee goes on to say:

From this statement it appears that the Indians, as well as the superintendent of the school, believe that these lands belong to the Indians. Such, however, is not the case. This is shown by the letter of the Secretary of the Interior, which says "that the territory within which the Cantonment lands are included was ceded to the United States by act of March 3, 1891 (26 Stat. L., 980, 1022), and payment in full therefor was made to the Indians by the United States." In other words, the Indians have ceded all right, title, and interest in these lands. The land belongs entirely and exclusively to the United States and the Indians have no title or claim thereto.

Now, if it be the fact that the Indians have no title or claim to the lands, why should the proceeds go to the credit of the Indians? If it be a fact that the Indians have some legal or moral claim to the land, why should it be disposed of against their protest?

Mr. MORGAN. Mr. Speaker, the committee in their statement had reference, of course, to the naked legal title, which does belong to the United States and not to the Indians. But these Cheyenne and Arapaho Indians are not very far advanced

in civilization and education, and in making this treaty they did dispose of these lands. But it has been the practice in disposing of such lands instead of putting the funds derived from the sale of the lands into the National Treasury for the benefit of all the people of the United States to devote such funds to the education of the Indians. Now, the Indians evidently had a misconception when they stated in their petition that these lands when no longer needed for school purposes will revert to the Indians. Of course, that is not true.

Now, these lands are not needed there—

Mr. MANN. Is it not a fact that the department in making the report on the bill stated that if this money was to be considered as the money of the Indians it ought to be used for school purposes and not deposited in the Treasury as other funds arising from the public sale of lands?

Mr. MORGAN. I will yield to the gentleman from Minnesota [Mr. MILLER] to answer that.

Mr. MILLER. Mr. Speaker, I do not know that I am possessed of any excessive information in regard to this. I have looked it up somewhat, but I am confident from the remarks of the gentleman from Illinois that I know as much as he does about it, and possibly some things that he does not know.

Mr. MANN. If the gentleman knows as much as I do about it, it is strange that he is for the bill. Let us see whether he does or not.

Mr. MILLER. Well, our judgment might lead us to different conclusions. The gentleman from Illinois asked if this land was not the property of the Indians, why we are selling it against their protest, and why there was any desire on the part of the committee that the proceeds should go to the Indian funds. The committee had a clear conception of this situation, and I think when the facts are explained to the gentleman from Illinois he will see the justice of it.

Mr. MANN. Why does not the gentleman state the facts and not give us so much hot air?

Mr. MILLER. I am so accustomed to listening to hot air from the gentleman from Illinois—

Mr. JACKSON rose.

The SPEAKER. To whom does the gentleman yield?

Mr. MANN. I have not the floor.

Mr. MILLER. I have the floor, Mr. Speaker, at present, and I do not propose to be taken off my feet by anybody.

Mr. MANN. Any Member can take the gentleman off the floor if he sees fit.

Mr. MILLER. But you will cut your head off at the same time.

Mr. JACKSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JACKSON. Is this bill to be objected to?

The SPEAKER. It is still being discussed under the reservation of a right to object.

Mr. JACKSON. I think we have discussed it sufficiently so that any gentleman can tell whether he wants to object or not, and I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the present consideration of this bill?

Mr. MANN. I object.

Mr. MORGAN. I hope the gentleman will not object.

Mr. MANN. It is due to the gentleman from Kansas that objection is made.

Mr. MORGAN. I hope that the gentleman from Kansas will withdraw his demand.

Mr. JACKSON. I think with five distinguished gentlemen on the floor discussing this matter we are not getting very far.

The SPEAKER. Does the gentleman from Kansas withdraw his demand?

Mr. JACKSON. I have nothing to withdraw. If the gentleman from Illinois wants to object it is entirely satisfactory to me.

Mr. MORGAN. I hope the gentleman from Illinois will withdraw his objection.

The SPEAKER. Does the gentleman from Illinois withdraw his objection?

Mr. MANN. The gentleman from Kansas demanded the regular order, which was that we should fish or cut bait, and I did not cut bait. [Laughter.]

RIVER AND HARBOR BILL.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., June 1, 1912.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby resign my position as a member of the conference committee on the river and harbor bill. My reason for this action is that I am obliged to leave Washington for an absence of at least one week, and in all probability for a longer time.

Very respectfully, yours,

GEO. P. LAWRENCE.

The SPEAKER appointed Mr. DAVIDSON, of Wisconsin, as a conferee in place of Mr. LAWRENCE.

NAVAL HISTORY SOCIETY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 24026) to incorporate the Naval History Society.

The Clerk read the bill, as follows:

Be it enacted, etc., That Charles Francis Adams, of Massachusetts; James Barnes, of New York; Willard H. Brownson, of the District of Columbia; French E. Chadwick, of Rhode Island; William C. Church, of New York; George Dewey, of the District of Columbia; Henry A. du Pont, of Delaware; Loyall Farragut, of New York; Caspar F. Goodrich, of Connecticut; Charles T. Harbeck, of New York; Greenville Kane, of New York; Stephen B. Luce, of Rhode Island; John F. Meigs, of Pennsylvania; Robert W. Neeser, of New York; Herbert L. Satterlee, of New York; Charles H. Stockton, of the District of Columbia; Charles W. Stewart, of the District of Columbia; Robert M. Thompson, of New York; Richard Wainwright, of the District of Columbia; John W. Weeks, of Massachusetts, and their associates and successors, be, and they are hereby, incorporated and made a body politic and corporate in the District of Columbia, by the name of "The Naval History Society"; and by that name may sue or be sued, plead and be impleaded, in any court of law or equity, and may have and use a common seal, and change the same at pleasure, and be entitled to use and exercise all the powers, rights, and privileges incidental to fraternal and benevolent corporations within the District of Columbia.

SEC. 2. That the object of such corporation shall be to discover and procure data, manuscripts, writings, and whatever may relate to naval history, science, and art, and the surroundings and experience of seamen in general and of American seamen in particular, and to preserve same by publication or otherwise; and to acquire, establish, or maintain in the city of Washington or elsewhere, for the use of its members and others, a house or rooms having a library, reading room, and such other appurtenances and belongings as may be desired.

SEC. 3. That said corporation may adopt a constitution and by-laws, and shall have power to amend the same at pleasure: *Provided*, That they do not conflict with the Constitution and laws of the United States.

SEC. 4. That said corporation shall have the right to hold meetings at any place in the United States, but annual meetings for the election of officers shall be held in the city of Washington, where the principal office of said corporation shall be.

SEC. 5. That the said corporation shall have the power to take and hold, by gift, grant, purchase, or devise, real and personal property not exceeding in value \$500,000, which shall not be divided among the members of the corporation, but shall be used and administered as a trust for the purposes of the corporation, and so far as unexpended transmitted to their successors for the further promotion of such purposes.

SEC. 6. That the government of such corporation shall be vested in a board of 11 managers, to be elected by the members of such corporation, and the corporation shall have such officers as it: constitution and by-laws may prescribe. The incorporators herein named, or a majority of them, shall act as the board of managers until their successors in office are chosen at the first meeting of the society after the passage of this act.

SEC. 7. That this charter shall be subject to alteration, amendment, or repeal at the pleasure of the Congress of the United States.

SEC. 8. That this act shall take effect immediately on its passage.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. SLAYDEN. Mr. Speaker, the purpose of this bill is absolutely and clearly explained in the text and a further and more elaborate explanation is made in the report. In the language of the report:

The purpose of the Naval History Society that it is proposed to incorporate is purely patriotic and entirely national in its scope. The object is to discover and procure data, manuscripts, writings, and whatever there may be relating to naval history, science, and art, and the surroundings and experience of seamen in general, and of American seamen in particular, and to preserve the same by publication or otherwise. There is no thought of private gain, and the bill distinctly provides that the real and personal property received by the society, whether by gift, purchase, or otherwise, shall not be divided among the members of the corporation, but shall be used and administered as a trust for the purposes of the corporation, and so far as unexpended transmitted to their successors for the further promotion of such purposes.

Every patriotic citizen of this country is proud of the achievements of our Navy. There is nothing local or sectional in this pride, for the Navy is as much identified with one section of the country as another, and its achievements in the past are the common heritage of all the people. No State in the Union now has or ever has had a navy of its own. There is and has been but one Navy and that is the American Navy, the common property of all the States and all the people. The Navy is thus essentially national, and any legislation relating to it or affecting it must and should be of national origin.

Mr. Speaker, this bill was introduced by the gentleman from Georgia [Mr. BRANTLEY], and sent to the Committee on the Library. That committee had an elaborate hearing by distinguished gentlemen who are interested in the procuring of data referring to the history and operations of the American Navy, who want to see it properly edited and published.

It seems that up to this time there has been nothing but a voluntary association, limited in the theater of its operations, and not doing completely what these gentlemen who are interested in the preservation of the history of the American Navy thought should be done. They have an opportunity to secure bequests that will make them entirely solvent and enable them to gather data and secure its publication.

The committee was unanimous in its approval of the bill, and I can see no reason why it should not be passed. As to the objection that may be made by some gentlemen that they should have taken a charter from a State, I can only say that

the Navy, by its very nature, does not belong to or appertain to any particular State. We do have volunteer organizations in the event of war from New York, Texas, and other States, but never is that the case in any important operations of the Navy. The Navy is purely national in its scope and nature, and therefore it was believed that there could be no reasonable objection to granting a national charter.

Mr. MANN. I notice that the report says:

Every patriotic citizen of this country is proud of the achievements of our Navy. There is nothing local or sectional in this pride, for the Navy is as much identified with one section of the country as another, and its achievements in the past are the common heritage of all the people.

All of which is true and very well stated. Then, looking at the incorporators, who are 20 in number, we find 8 from New York, 5 from the District of Columbia, 2 from Rhode Island, 1 from Delaware, 1 from Connecticut, and 1 from Pennsylvania, which looks to me quite sectional; not only sectional, but almost centralized in one State. Nearly a majority of these incorporators reside in the city of New York. Now, here you propose to incorporate a national society to inculcate patriotism on the part of the Nation at large, composed of a few very eminent gentlemen located in small sections of the country, mostly in New York City and a few in the District of Columbia. It is no reflection upon New York City to say that there are other parts of the country. I know that it is seldom that persons that reside in New York, and sometimes in districts that are near New York, on the floor, know that there are other portions of the country. [Laughter.]

Mr. TOWNSEND. Mr. Speaker, let me suggest to the gentleman from Illinois that the reason that the proposed incorporators are limited in geographical extent is that they happen to be the gentlemen who compose the voluntary association to carry out in part the purposes of the bill. They were the only ones sufficiently interested to appear before Congress and ask for the incorporation. There will undoubtedly be associate members attached to this body who will represent every great State, including the State of Illinois.

Mr. MANN. I have no doubt that every State in the Union with an hour's notice, could get plenty of gentlemen who would like to be incorporated as a naval history society by the United States Congress.

Mr. TOWNSEND. Not 20 accomplished gentlemen, who are as much interested and who have accomplished as much as these gentlemen have.

Mr. MANN. I do not know how much they have accomplished, but the work for the Navy has not been altogether accomplished by these great States, much as they have done.

Mr. TOWNSEND. Mr. Speaker, I am not referring to military work, but purely historical work.

Mr. MANN. Perhaps they have done more historically than they have in real combat.

Mr. SLAYDEN. Mr. Speaker, I am sure that the membership of the Naval History Society will be expanded just as rapidly as gentlemen who take an interest in it apply for membership. It happens that these gentlemen had organized themselves and had been operating in a voluntary capacity. They now want the privilege of receiving certain bequests that are awaiting them. With that they propose to buy manuscripts and other papers and things of historic interest and value.

Mr. JACKSON. Mr. Speaker, will the gentleman yield for a question?

Mr. SLAYDEN. Yes.

Mr. JACKSON. Does not the gentleman think, in line with what has been suggested by the gentleman from Illinois [Mr. MANN] and others, that if you are going to incorporate a body of this kind you ought to include in it some representative from the Great Lakes, from the Pacific coast, and, inasmuch as the river navigation of the country has had considerable naval history, that some one from the State of Louisiana or the State of Missouri ought to be included in this board which is to compose the charter members of this great society?

Mr. SLAYDEN. Mr. Speaker, the gentleman perhaps knows as well as I do that measures of this kind do not originate with the Members of Congress. The old voluntary Naval History Society was operated at the personal expense of certain gentlemen in private life, who, by reason of former association with the Navy, being perhaps the sons of eminent commanders or related in some other way, had taken an interest in the matter and had undertaken all of the expenses pertaining to the gathering of such data as was necessary for their purposes. They are properly the charter members. I have no sort of doubt they will be glad to take into association with them any creditable, reputable citizen of any part of the country who has an interest in the matter and will help to pay the expenses of the society, but I do not feel authorized to add the name of any man to the list we have here.

Mr. JACKSON. Can not the gentleman tell us why they have not already done so?

Mr. SLAYDEN. Mr. Speaker, I believe the gentleman from Massachusetts [Mr. WEEKS], who is one of the incorporators, may be able to answer that question.

Mr. WEEKS. Mr. Speaker, I see no objection to adding any number of names to the incorporators who appear in this bill. If the gentleman from Kansas [Mr. JACKSON] or the gentleman from Illinois [Mr. MANN] would like to have their names added—

Mr. JACKSON. No; I thought that, inasmuch as these gentlemen seem to have the matter in hand, they certainly had been in conference or communication, perhaps, with certain citizens of different States who would be interested in the subject and they would know who ought to be suggested.

Mr. WEEKS. The gentleman from Kansas knows that somebody has to start associations of this sort; there is now a voluntary organization which is getting together matter which is being printed. The men who appear as the incorporators in this act are among those who have been furnishing the funds to do what has been done up to this time. Of course the membership in this society will be extended, and a general invitation will quite likely be extended to all those who are interested in work of this character to join the society. The idea of any local character being given it is entirely removed from the minds of those gentlemen who appear as incorporators. I would be glad to have the gentleman from Kansas or the gentleman from Illinois join as incorporators of the society.

Mr. GARNER. There is no object, I presume, of laying a foundation for future appropriations by the Government to sustain the library of the society or the society itself?

Mr. WEEKS. Absolutely nothing of the sort.

Mr. TAYLOR of Colorado. I would like to inquire whether or not this is not a rather close corporation which we are giving a national standing, and whether or not there ought not to be a little more liberality as to others getting into it; whether or not there ought not to be, for instance, a provision that the governor of each one of the States shall be an ex officio member, so that this little coterie of distinguished gentlemen could not select for all time who should be a member of the society.

Mr. McCALL. Mr. Speaker, if the gentleman will permit, of course the objection which was made to the place of residence of the incorporators is more apparent in its force than real. This is simply a nucleus, in any event. These gentlemen are simply named, in the first place, to take the incorporation. They will probably enlarge, and may have 500 or 1,000 members.

Mr. TAYLOR of Colorado. These particular gentlemen designated to take this corporation are the individuals who will exclusively determine who hereafter shall belong, are they not?

Mr. McCALL. Yes; but we know from the character of the men that they are broad minded. There is Charles Francis Adams, who is the president of the Massachusetts Historical Society, the oldest and one of the greatest historical societies, with a great membership, and undoubtedly it is the purpose of these gentlemen, if they shall associate themselves together and have an incorporation, to elect associate members, and as they are broad minded I have no doubt they will take their membership from all over the country.

Mr. TAYLOR of Colorado. I trust the gentleman will not assume that I am presuming that they are not broad-minded men. My only doubt was that when we incorporate a national society, we ought not to do it in the way that one may incorporate a little private company in a State.

Mr. McCALL. I fancy none of these gentlemen was present who desires to be named as an incorporator.

Mr. WEEKS. May I add this: Six of these incorporators are retired rear admirals. Half of them are graduates of the Naval Academy, and almost every one of them has been connected with the Navy in some way at some time. That is the reason they are directly interested in this association. It is simply carrying on in this form the work they have been doing in another form, and it is believed that as there is a gift which is likely to come to the society, and others which may come, there should be an incorporation.

Mr. SLAYDEN. I want to suggest to the gentleman from Colorado that it is not the purpose of these gentlemen to limit the membership to themselves.

Mr. WEEKS. Oh, not at all.

Mr. SLAYDEN. They hope to make a large organization.

Mr. TAYLOR of Colorado. Why should there not be an automatic membership of retired naval officers—that is, if they desire to join the society?

Mr. GARNER. But they might not want to put up the necessary money.

Mr. WEEKS. There will be an opportunity given to every reputable man who wishes to come into this association and who will pay the dues which will be imposed to do so.

Mr. TAYLOR of Colorado. I suppose the gentleman is authorized to speak for the others?

Mr. WEEKS. No; I am authorized to speak only for myself.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Is it not a fact that in almost all of these bills that Congress passes incorporating some society or association that the original number of incorporators is comparatively few?

Mr. SLAYDEN. Necessarily limited—

Mr. LONGWORTH. Necessarily limited in the legislation.

Mr. SLAYDEN. And by all the circumstances.

Mr. LONGWORTH. And I venture to say few bills have been passed containing a list of more than 20 incorporators. Is not that the fact?

Mr. MANN. Most of them contain a great many more.

Mr. SLAYDEN. I have now pending a bill which contains a larger list of charter members, but that has been changed and modified from time to time, chiefly because of the death of some of the proposed incorporators.

Mr. LONGWORTH. At any rate there have been a number of such bills in which the number was very small?

Mr. SLAYDEN. It is necessarily limited, but not for the purpose of restricting membership, which they want to enlarge.

Mr. MANN. As I understand, the purpose of the naval-history society, if incorporated, is to study naval history and publish in regard to naval history; in other words, to largely control naval history, because we all know that history is not a record of things which actually took place, but is a record of what somebody says took place.

Mr. SLAYDEN. If the gentleman is going into the domain of criticism, that is another matter.

Mr. MANN. I would like to ask the gentleman, in view of some incidents of recent history about which there has been a great deal of controversy, whether the corporation the gentleman proposes now is to influence the future history of naval affairs of this country in favor of Schley or Sampson?

Mr. SLAYDEN. Well, Mr. Speaker—

Mr. MANN. I believe that is one of the important things that this corporation will have to deal with, so as to determine what will be the thought 100 years from now—whether it shall be in favor of Schley or Sampson.

Mr. SLAYDEN. Mr. Speaker, if the gentleman had been with the committee when we had hearings he would have realized that a great majority of those gentlemen who appeared will not for any very long time take any particular interest in what happened at Santiago or elsewhere.

Mr. ADAMSON. If the gentleman will permit, I think the high authority to which the case was appealed decided that neither of them was in it; that it was a battle of captains.

Mr. MANN. I shall withdraw my reservation of the right to object because one name on the list of incorporators, the gentleman from Massachusetts [Mr. WEEKS], is sufficient leaven not only to leaven the entire lump but the whole barrel of flour. [Applause.]

The SPEAKER. Is there objection?

Mr. AUSTIN. Mr. Speaker, reserving the right to object; now, there are four States represented by the proposed organization—Massachusetts, New York, Rhode Island, Delaware, and the District of Columbia.

Mr. MANN. And Pennsylvania, five.

Mr. AUSTIN. California also. Not a Southern or Western State, nor a Middle State, nor a State up by the Lakes is represented. If this is to be really national and take in the naval history of the United States, why should not the gentleman agree to an amendment, to which the gentleman from Massachusetts, whose name is here as one of the incorporators, says there is no objection, and enlarge the number?

Mr. SLAYDEN. Does the gentleman want an answer to that?

Mr. AUSTIN. Yes; I want to ask the gentleman in charge of this bill if he will not consent to that?

Mr. SLAYDEN. I will say I do not think there is any man on this floor more jealous of the dignity and the rights and the part played in history by the South than I am, and I have constituents who, I think, may become members of this historical society. But I do not believe it would be agreeable to any one of them for me to undertake to compel their association with those gentlemen who have been in the naval history society.

I do not believe my constituents would like that, and I think on reflection the gentleman will reach the conclusion that the constituents whom he may have in mind would not like it. I have not the slightest doubt that nearly every reputable citizen

who has enough interest in this matter to apply for membership and to pay such dues as may be assessed will be made members of this Naval Historical Society.

Mr. AUSTIN. I understood the gentleman from Massachusetts to state some were there without their knowledge or consent—

Mr. SLAYDEN. I do not think the gentleman stated that, because if he did he is mistaken.

Mr. WEEKS. I did not state that.

Mr. AUSTIN. Have all of these gentlemen been connected with this movement in regard to this organization?

Mr. SLAYDEN. That is my information, and they have been putting up the funds for it.

Mr. WILSON of Pennsylvania. If the gentleman will allow me a suggestion, the incorporation of this society will not give any official status to any statement that may be made by this association.

Mr. SLAYDEN. None whatever.

Mr. WILSON of Pennsylvania. It would be just as acceptable from a historical standpoint if it was made by this association unincorporated as if it was incorporated.

Mr. SLAYDEN. Yes; and that is not the purpose of it. I will say to the gentleman—

Mr. WILSON of Pennsylvania. If the gentleman will permit, I simply wanted to bring out this thought, that the whole purpose of incorporating this society would be to facilitate the management of its affairs and—

Mr. SLAYDEN. To receive bequests and to have means to do its work. A bequest of importance is now waiting on the granting of this charter.

Mr. WILSON of Pennsylvania. It is desired as part of the business handling of its affairs.

Mr. SLAYDEN. Yes.

Mr. TOWNSEND. If the gentleman from Texas will permit, I simply want to add to what the gentleman from Texas has said, that this national incorporation would be an advantage to the society by receiving the benefit of bequests; that I happen to know of a very important historical literary bequest that will be made to the national association, the owner of which would not make it to a State association.

Mr. SLAYDEN. Or a private association.

Mr. TOWNSEND. It is one of the best naval historical collections.

Mr. GARNER. Mr. Speaker, I am sure we have had all the information the House wants in regard to this matter, and I would like to have the regular order.

The SPEAKER. Is there objection?

Mr. AUSTIN. Mr. Speaker, accepting the assurance of the gentleman in charge of this bill that the other sections of this country shall be recognized in this organization, I withdraw the objection.

Mr. SLAYDEN. Mr. Speaker, I take great pleasure in saying that so far as my influence goes I will use it to have the gentleman himself elected.

Mr. AUSTIN. Oh, no; I do not wish to be elected, but I did not want the entire South and West of this country ignored in the organization.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 323. Joint resolution authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 23557) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 23063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and

sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4568. An act granting an increase of pension to Annie R. Schley.

CUSTOMS DISTRICT OF PHILADELPHIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4011) amending sections 2541 and 2543 of the Revised Statutes of the United States, defining the boundaries of the customs collection districts of Philadelphia, Pa., and Bridgeton, N. J., and establishing ports of entry and sub-ports of entry therein.

The SPEAKER pro tempore (Mr. MARTIN of Colorado). Is there objection?

Mr. BUTLER. Mr. Speaker, I reserve the right to object.

Mr. DALZELL. Mr. Speaker, this bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Unanimous consent for consideration of the bill has not yet been obtained.

Mr. GARDNER of New Jersey. Mr. Speaker, I object.

Mr. MOORE of Pennsylvania. I ask the gentleman to reserve his objection.

The SPEAKER pro tempore. Objection is made.

Mr. DALZELL. The gentleman from Pennsylvania [Mr. BUTLER] has not objected. He has reserved his objection.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. GARDNER] objected.

Mr. MOORE of Pennsylvania. I asked the gentleman from New Jersey to reserve his objection. I would like to know if he yields to that request?

Mr. DALZELL. Does the gentleman from New Jersey object?

Mr. GARDNER of New Jersey. I object.

The SPEAKER pro tempore. The gentleman still objects, and the bill will be stricken from the calendar.

SUBJECTION OF LANDS OF FORT NIOBRARA MILITARY RESERVATION TO HOMESTEAD ENTRY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22090) to subject the lands in the former Fort Niobrara Military Reservation and other lands in Nebraska to homestead entry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the unreserved lands within the former Fort Niobrara Military Reservation, in the State of Nebraska, together with the south half of the north half and south half of section 4; the south half of the north half and the south half of section 5; the south half of the northeast quarter, northwest quarter of the northeast quarter, northwest quarter and the south half of section 6; all of sections 7, 8, and 9; south half of section 10; all of sections 15, 17, 18, 19, 20, 21, and 22; north half of section 27; southwest quarter and the north half of section 28; all of sections 29 and 30, all in township 33 north, range 25 west; all of sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 17, and 20 to 29, inclusive, all in township 33 north, range 26 west; the southeast quarter of section 26; south half of the northeast quarter and the south half of section 33 and the south half of the northwest quarter, northeast quarter, and south half of section 34; all of section 35, all in township 34 north, range 26 west, sixth principal meridian, except as hereinafter expressly provided, shall be subject to entry at such time, in such manner, and under such regulations as the Secretary of the Interior may prescribe, as follows: All that portion of said lands lying north and west of the Niobrara River, together with that part of the southeast quarter of section 22, the southwest quarter of section 23, the west half of section 26, and all of section 27, in township 34 north, range 27 west, lying south and east of the said Niobrara River, except such part of the lands south and east of the said river as the Secretary of the Interior may reserve from entry as provided by section 8 hereof, shall be entered and patented under the general provisions of the homestead laws; and all the remaining portion of said lands lying south and east of said Niobrara River shall be entered and patented under the provisions of the act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April 28, 1904, but entries made under this act shall not be subject to commutation.

SEC. 2. That lots 1 and 2 and the west half of the southeast quarter and the west half of section 33 and all of section 32, in township 34 north, range 27 west, sixth principal meridian, within said reservation, be, and the same are hereby, granted to the State of Nebraska for use by said State as an agricultural experimental station.

SEC. 3. That the Secretary of the Interior, upon the payment of \$1.25 per acre therefor, shall cause patent to issue to the village of Valentine, in the State of Nebraska, to the east half of section 19; the southwest quarter of the southwest quarter of section 20; the east half and the southwest quarter of section 29; the northwest quarter and the northeast quarter of the southwest quarter of section 30; the northwest quarter of the southwest quarter of said section 30, except that parcel of land in the southwest corner of said northwest quarter of the southwest quarter described as follows: Commencing at the southwest corner of the northwest quarter of the southwest quarter of section 30, running thence north 435.6 feet; thence east 500 feet; thence south

435.6 feet; thence west 500 feet to the place of beginning, all of said lands being in township 34 north, range 27 west, sixth principal meridian.

SEC. 4. That the Secretary of the Interior, upon the payment of \$1.25 per acre therefor, shall cause patent to issue to W. F. Gilman to the parcel of land within said reservation, described as follows: Commencing at the southwest corner of the northwest quarter of the southwest quarter of section 30, township 34 north, range 27, running thence north 435.6 feet; thence east 500 feet; thence south 435.6 feet; thence west 500 feet to the place of beginning.

SEC. 5. That the Secretary of the Interior, upon the payment of \$1.25 per acre therefor, shall cause a patent to issue to Charles H. Cornell for lot 4 in section 22 and lot 1 in section 27, in township 34 north, range 27 west, within said reservation.

SEC. 6. That the Secretary of the Interior shall cause patent to issue to the State of Nebraska for section 9 in exchange for section 36 in township 34 north, range 27, title thereto to be conveyed by Nebraska to the United States, upon the ratification by the State of Nebraska by an act of the legislature to be passed at the next regular session and the consent of W. F. A. Meltendorf, lessee, of said school section 36.

SEC. 7. That said former military reservation lands be, and the same are hereby, exempted from the statutes requiring payment to be made of the appraised value thereof.

SEC. 8. That the Secretary of the Interior is hereby directed to reserve from entry under this act a tract of land not exceeding 640 acres in area, upon which the buildings used in connection with said military reservation are located, and to sell the lands so reserved and the buildings thereon at public auction at not less than their appraised value, after one year from the date of the approval of this act if the Government shall not have appropriated the same to some public purpose.

SEC. 9. That the disposition of said military reservation lands shall be subject to the rights acquired by Charles H. Cornell, by acts of Congress approved June 18, 1906, and February 18, 1911.

SEC. 10. That the costs of carrying out the provisions of this act shall be paid from the appropriation for the expenses of the survey, appraisal, and sale of abandoned military reservations.

Amend the title so as to read: "A bill to subject the lands in the former Fort Niobrara Military Reservation in Nebraska to homestead entry."

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of this bill or the gentleman from Nebraska, who introduced it, if this does not give to one Charles H. Cornell a water-power site for a mill at \$1.25 an acre against the express statement of the Secretary of the Interior that water-power sites should be reserved?

Mr. KINKAID of Nebraska. Mr. Speaker, answering the question of the gentleman from the State of Illinois [Mr. FOSTER], I am pleased to assure him that the Secretary of the Interior has given his express sanction to the sale of these lands to Charles H. Cornell. I will say further that Charles H. Cornell owns the water-power site, having acquired it under the laws of the State of Nebraska, and owns the land on one side of the river, and he has the material on the ground ready to construct a dam, and he simply wants to abut on the other side of the river. He already has the right to abut on this side of the river, which is Government land, by virtue of an act passed by Congress a session or two back; and the Secretary of the Interior recommends reserving the water-power sites, except such as are provided for in the bill, excluding those and agreeing to this.

Mr. FOSTER. Then there is another water-power site provided for in section 4, is there not?

Mr. KINKAID of Nebraska. That is a mill site.

Mr. MONDELL. I will say to the gentleman from Illinois that a right is reserved to the person named to buy 5 acres of land.

Mr. KINKAID of Nebraska. There is a large flouring mill, which has been in operation for several years—I have forgotten how long—and the mill owner, by a mistake made by a surveyor, abutted his dam against the military reservation land, and it is considered proper to sell to him 5 acres on that side of the little stream that his dam crosses.

Mr. FOSTER. But it does not provide for selling this and giving the present occupant the right to purchase at a fair price, does it?

Mr. KINKAID of Nebraska. The affidavits here show that the land is really worthless. The affidavits show that this land consists of precipices, except where there is room for sand hills. I will read you briefly one affidavit, signed by four affiants who were examined together. They are leading citizens, all of them, and I know them personally right well. They are gentlemen of high standing. They state that the affiants have examined personally these lands described in the bill, and that they are covered with rocky canyons and precipices; that is, these lands that the city wants to buy and the mill owner wants to buy also, and it includes the 5 acres for the mill dam to abut. Affiants state the land is covered with rocky canyons and precipice after precipice, with no grazing ground of any value existing thereon. And further, at the conclusion of the affidavit, it is stated that the land is absolutely worthless for farming purposes; that no crop could ever grow on such land; that it has no hay growing on it, and no amount of grass sufficient for stock grazing.

Mr. FOSTER. In section 2 it is proposed to give to the State of Nebraska some of this land as a site for an agricul-

tural experiment station, so that by the time we get through with this, the Government will be expected to make up the difference of these lands.

I observe also in section 7 that the gentleman proposes that this land which is to be opened for settlement shall be exempted from the statute requiring payment to be made of the appraised value thereof. So that it seems to me that the gentleman has in this bill evidently taken good care of the State of Nebraska, on which I compliment him as a wise and careful Representative. But it seems to me that the National Government in all this is to get the little end of the horn, as it is called, and that there will be nothing left by the time that the State of Nebraska and other parties take the water-power sites, and the part that goes to the State of Nebraska, and so on. So, Mr. Speaker, I think that this bill ought to go back to the Committee on Public Lands and be reconstructed.

Mr. KINKAID of Nebraska. Just a moment. I guess the gentleman is not going to object.

The SPEAKER pro tempore. Does the gentleman from Illinois reserve the right to object?

Mr. FOSTER. I reserve the right to object.

Mr. KINKAID of Nebraska. Mr. Speaker, I thank the gentleman from Illinois [Mr. FOSTER] for all the compliments he has expressed, which are undeserved. The provisions of this bill taking care of the State of Nebraska and exempting specifically the lands from sale at the appraised value are well fortified by precedent. Where lands of an abandoned military reservation are of a very poor quality and are such that ordinarily homesteaders will not enter them and you have got, instead of leaving them subject to entry in quarter-section amounts, to increase them fourfold and make them one section, it is evident that the lands should not be disposed of as existing law provides.

And it has been the practice to exempt from appraised value lands of a very poor quality, and that has been done in two or three instances in the district which I have the honor to represent, namely, as to Fort McPherson and also as to Camp Sheridan. Homesteaders did not succeed in perfecting their entries, broke down, were unable to pay the appraised value, and they relinquished and kept on relinquishing. A successor would come in and make an entry and then relinquish again, so that finally an act was passed exempting these lands from payment of the appraised value.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. KINKAID of Nebraska. Certainly.

Mr. MANN. Under the existing law can not this land be disposed of by sale as an abandoned military reservation?

Mr. KINKAID of Nebraska. There are some other lands which are not on the military reservation. The lands on the military reservation are less than a township in extent, and those lands can be sold under what I would now call an obsolete statute.

Mr. MANN. The statute is not obsolete, although the practice of really selling any Government land may be obsolete as long as gentlemen are so insistent that the land shall be given away to their constituents. But is not this the fact, that under the existing law this land can be sold to people who are willing to buy it? Under this bill the land will be given away and people will not have to pay for it. Is not that the distinction between the bill and the law?

Mr. FOSTER. That is the effect of this bill.

Mr. GARNER. It is evident that the gentleman from Nebraska realizes—

Mr. RAKER. Will the gentleman from Texas allow the gentleman from Nebraska to finish his explanation?

Mr. GARNER. I might allow the gentleman to stand here and talk for two hours, or he may extend his remarks in the Record, but the gentleman from Illinois [Mr. FOSTER] has given notice that he is going to object.

Mr. KINKAID of Nebraska. I do not think the gentleman is serious in that.

Mr. GARNER. May I ask the gentleman from Illinois [Mr. FOSTER] if he is going to object?

The SPEAKER. Is there objection?

Mr. FOSTER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] objects. The bill goes off the calendar.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD, from the Committee on Appropriations, reported a bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House

on the state of the Union, and, with the accompanying report (No. 826), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves points of order.

Mr. FITZGERALD. Mr. Speaker, I wish to give notice that I will call the bill up for consideration to-morrow morning.

Mr. MANN. At what time to-morrow?

Mr. FITZGERALD. Immediately after the reading of the Journal.

Mr. MANN. We may have some unfinished business to-morrow, perhaps.

INTERNATIONAL CONGRESS ON HYGIENE AND DEMOGRAPHY.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 97, authorizing the Fifteenth International Congress on Hygiene and Demography to occupy temporary structures erected by the American Red Cross and to erect temporary structures in Potomac Park, Washington, D. C. The joint resolution was read, as follows:

Resolved, etc., That the American Red Cross is hereby given permission to allow the temporary structure erected by it in Potomac Park, under the provisions of the joint resolution approved May 11, 1911, to remain in position for a sufficient length of time to be used for exhibition purposes by the Fifteenth International Congress on Hygiene and Demography at its meeting in 1912, and that authority is hereby given to the Chief of Engineers, United States Army, to grant permission to the responsible officers of the Fifteenth International Congress on Hygiene and Demography to erect on the public grounds, on a site to be approved by the Chief of Engineers, such additional temporary structures as may be necessary for exhibition purposes: *Provided*, That the United States shall be put to no extra expense of any kind thereby, and that all the structures shall be promptly removed by the Fifteenth International Congress on Hygiene and Demography at the close of the meeting and the site cleared of all debris and put in as good condition as before the erection of the structures.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I reserve the right to object. I wish to call the attention of gentlemen to the situation created by this bill.

By resolution of Congress the Red Cross Society was authorized to erect some temporary structures on one of the public reservations in the District of Columbia upon condition that they should be removed and the grounds restored to their original condition without expense to the United States.

This resolution apparently relieves the Red Cross Society from that obligation and devolves it upon the Congress on Hygiene and Demography. They have estimated that \$12,000 will be required to do that work. They expect to raise \$40,000 by subscription, and they hope to get Congress to give them \$51,000, in addition to the \$60,000 that they have already had, to make this congress a success. In the present shape of this resolution Congress will practically be paying for the removal of these structures and the restoring of the grounds to their original condition.

Mr. MANN. Mr. Speaker, if the gentleman will yield, I hardly think this resolution if passed would relieve the Red Cross from anything. It would impose the obligation additionally upon the Congress on Hygiene and Demography.

Mr. FITZGERALD. I am not so sure that it does not relieve the Red Cross.

Mr. MANN. I think not. They have given bond, as I understand it, to remove these buildings.

Mr. FITZGERALD. What would be the effect of this resolution, which turns these buildings over to this Congress and provides that they shall be removed at the expense of this Congress? As nearly as I can ascertain from the investigation I have given—

Mr. MANN. Here is a law permitting the Red Cross to erect buildings and requiring the Red Cross to remove those buildings, under bond, as I recall it. That removal is to be at the close of the Red Cross meeting here.

Mr. FITZGERALD. No.

Mr. MANN. Yes. Now, here is a permission proposed to be given to the Red Cross to permit the Congress on Hygiene and Demography to use these buildings instead of removing them at the time originally contemplated. As a part of the provision the Congress on Hygiene and Demography is required to remove the buildings. But the Red Cross is obligated under the original provision to see that those buildings are removed and the grounds replaced in good order in any event. I do not think they are relieved by this.

Mr. AUSTIN. There is a provision here—

Mr. MANN. Now, here is the situation in regard to it. We have unfortunately gotten in the habit of giving easy invitations to people to come to Washington and meet. One of these invitations was given for this Congress on Hygiene and Demography, originally provided for the year 1908, I believe. It was

extended afterwards by permission of Congress. There is absolutely no place in Washington for such a congress to meet. No such congress ought ever to be invited by this Congress to meet in Washington. They ought to meet in some other American city, where they have facilities for taking care of such a congress. This is an international congress. It probably will be as large as the tuberculosis congress was several years ago, with four or five thousand members.

When the tuberculosis congress met there was great demand for the use of this Capitol and the House Office Building.

The House very generously shifted the burden of objecting to that on my shoulders. Fortunately my shoulders were able to stand up under it. We happen to have a National Museum Building, and we gave \$40,000 for the purpose of putting it in shape for that tuberculosis congress. Of course, if we do not allow these buildings of the Red Cross to be used in the end we will build some buildings for them.

Mr. FITZGERALD. Mr. Speaker, there are some other features in regard to this Congress on Hygiene and Demography that make me somewhat suspicious of their intention and ability to remove these buildings. As the gentleman said, this Congress was authorized to be held in 1908 or 1909. Congress appropriated \$10,000 to pay the preliminary expenses of it. Then it was postponed, and Congress appropriated \$10,000 additional to pay for the preliminary expenses, and in the diplomatic and consular appropriation bill that passed this year there was \$40,000 additional placed at the disposal of the State Department to pay expenses in connection with this congress. An estimate of \$51,000 was submitted for some other purposes connected with the congress.

I was curious as to what had been done with the \$20,000 appropriated for the preliminary expenses. I ascertained that a secretary had been appointed at a salary of \$5,000 a year, and had drawn three years' salary, amounting to \$15,000, out of the \$20,000, and had made one trip, at least, to Europe, at the expense of the Government out of the \$20,000; so that more than \$15,000, as I recollect, of the \$20,000 appropriated for the preliminary expenses of preparing for this congress has been turned over to one gentleman, who has been at various times secretary to one kind of congress or another. I think he was secretary to the tuberculosis congress. I am not sure whether he calls himself a hygienist or a demographer, but one or the other.

Mr. MANN. Is it Dr. Fulton?

Mr. FITZGERALD. I think it is Dr. Fulton who is the secretary of this outfit. He has drawn about \$16,000 out of the \$20,000 appropriated for the preliminary expenses—\$15,000 in salary and the balance in expenses. Congress never dreamed that it was creating anything so "soft" when it appropriated this money for these so-called preliminary expenses. I do not care whether it is Dr. Fulton or Dr. anybody else; whoever is responsible for that situation has been guilty, in my opinion, of gross impropriety in the administration of public funds.

Mr. MANN. Mr. Speaker, if the gentleman will yield, I have met Dr. Fulton several times. I think he is secretary of this association. I know I met him in connection with the tuberculosis congress, and in connection with the extension of the meeting of this congress for hygiene and demography. In fact, I got myself considerably disliked one time by Dr. Fulton and some other members of the tuberculosis congress because I would not consent to their using the House Office Building or the Capitol Building for a meeting. But, after all, Dr. Fulton is a very competent man.

Mr. FITZGERALD. I should hope so.

Mr. MANN. Five thousand dollars a year is not an exorbitant salary for a competent man. This work requires his entire time. Dr. Fulton is organizing this congress, an international congress of hygiene and demography, one of the most important subjects which concerns the human race to-day. It concerns matters that receive the greatest attention and the ones that receive the most consideration to-day, and the organization of this congress is no slight matter. The tuberculosis congress that was held here, which gentlemen who attended it will realize, was an enormous affair and productive of immense good. For the first time in many years we are beginning to see the tide of tuberculosis on the ebb. The movement is going the other way; we are overcoming the growth and increase of tuberculosis. The congress of hygiene and demography is along the same lines, and to organize it requires great attention.

Now, the gentleman says that the secretary received this fund. The fund donated by the Government is not the only fund that is used; there has been a considerable sum of money raised by private means and by societies.

Mr. FITZGERALD. For this particular congress it is hoped to obtain \$40,000 by private subscription. We have already appropriated \$80,000.

Mr. MANN. It is hoped to obtain \$40,000 by private subscription, but the gentleman will remember that a large sum of money is raised for its use by different societies throughout the country which is not expended here, but through the organization a much larger sum than \$40,000 is raised. Now, I have no doubt it is true—because the gentleman from New York would not make the statement unless he knew it to be true—that the secretary has received the appropriation which the Government made, but other moneys have been paid out of private funds.

Mr. GARNER. Mr. Speaker, may I suggest that one reason that this secretary's salary has been so great is that the appropriation of \$10,000 was made with the expectation that the next congress would assemble in 1908, but instead of that it was postponed; and at the next session we appropriated another \$10,000 for preliminary work, and it was the distinct understanding, my recollection is, that the total limit should be \$40,000, and the House Committee on Foreign Affairs carried that limit out, but an additional amount was placed on it in the Senate, and the House agreed to the conference report, which carried a larger amount than the original understanding.

Mr. FITZGERALD. My recollection is that the diplomatic bill this year carried altogether about \$40,000 for this purpose.

Mr. MANN. It carried \$10,000 in the House, and was increased to forty or fifty thousand dollars in the Senate, and, I suppose, compromised in conference. I was not here when the conference report was agreed to.

Mr. FITZGERALD. That makes \$50,000, and the request is now made for \$5,000 additional. My understanding of the original appropriation for preliminary expenses was not to employ a high-priced secretary, but to pay for clerical assistance required in the Department of State in sending out invitations, which are sent out pursuant to the proclamation issued by the President.

Mr. MANN. But this is a matter of great organization.

Mr. FITZGERALD. Oh, I understand. I have learned a great deal about it since I have undertaken this investigation, and I am quite sure that nobody ever anticipated that out of the \$20,000 appropriated for preliminary expenses some one was to be paid \$15,000 in salary.

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Virginia demands the regular order. Is there objection to the present consideration of the joint resolution?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman from Illinois whether in his opinion this resolution makes obligatory on this Congress alone the removal of these buildings?

Mr. MANN. I was going to suggest to the gentleman from New York that if there be any question about that, why we should not provide that these buildings shall be removed by the American Red Cross instead of by this society, keeping the present obligation in force?

Mr. BARNHART. That is all right.

Mr. FITZGERALD. I have no objection to that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This resolution is on the Union Calendar.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent that the resolution be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, the resolution has been read, and I move to amend, on page 2, lines 8 and 9, by striking out the words "Fifteenth International Congress of Hygiene and Demography" and inserting in lieu thereof the words "American Red Cross."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, lines 8 and 9, strike out the words "Fifteenth International Congress of Hygiene and Demography" and insert in lieu thereof the words "American Red Cross."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution as amended.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. AUSTIN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

RADIO COMMUNICATION.

The next business on the Calendar for Unanimous Consent was the bill H. R. 15357, to regulate radio communication.

The Clerk proceeded to report the bill.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the bill S. 6412, to regulate radio communication, may be substituted for the House bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent that a Senate bill of like tenor be substituted for the House bill. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I will ask the gentleman from Missouri where the Senate bill is?

Mr. ALEXANDER. It is on the table.

Mr. MANN. Has it been referred to a committee?

Mr. ALEXANDER. It has; and it has been reported back. It is in substance the same bill.

Mr. MANN. It is House Calendar 243.

Mr. ALEXANDER. I will state for the benefit of the House that Senate bill 6412 is the same as H. R. 15357, with the exception of three or four minor amendments. For that reason I ask unanimous consent that it be substituted for the House bill.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Mr. Speaker, the House bill is on the House Calendar. Has it been transferred from the Union Calendar? It is printed as being on the Union Calendar No. 193. It seems to be on the House Calendar with the same number, 193. It would be very odd that it would have the same number, having been transferred from one calendar to the other.

The SPEAKER. The Clerk at the desk informs the Chair that the bill was transferred from the Union to the House Calendar.

Mr. MANN. It is No. 193 on the House Calendar and the same number on the Union Calendar.

Mr. BUTLER. Mr. Speaker, reserving the right to object to the request of the gentleman from Missouri—I do not happen to have a copy of the Senate bill here, but have a copy of the House bill. I could not hear what the gentleman said a moment ago concerning the difference between the Senate bill and the House bill.

Mr. ALEXANDER. Mr. Speaker, as the Clerk reads, the gentleman will find that there is no material difference between the two bills.

Mr. BUTLER. But I do not happen to have a Senate bill here.

Mr. ALEXANDER. Has the gentleman a copy of the House bill?

Mr. BUTLER. Yes.

Mr. ALEXANDER. Very well; he can follow the reading with the House bill and he will see that it is to all intents and purposes the same as the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri that the Senate bill of like tenor, 6412, be substituted for the House bill?

Mr. MANN. That does not affect the right of objection?

The SPEAKER. No; that will not interfere with the right of objection to the Senate bill. [After a pause.] The Chair hears none, and the Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 6412) to regulate radio communication.

Be it enacted, etc., That a person, company, or corporation within the jurisdiction of the United States shall not use or operate any apparatus for radio communication as a means of commercial intercourse among the several States, or with foreign nations, or upon any vessel of the United States engaged in interstate or foreign commerce, or for the receipt or transmission of radiograms or signals the effect of which extends beyond the exclusive jurisdiction of the State or Territory in which the same are made, or where interference would be caused thereby with the receipt of messages or signals from beyond the jurisdiction of the said State or Territory, except under and in accordance with a license, revocable for cause, in that behalf granted by the Secretary of Commerce and Labor upon application therefor; but nothing in this act shall be construed to apply to the transmission and exchange of radiograms or signals between points situated in the same State: *Provided*, That the effect thereof shall not extend beyond the jurisdiction of the said State or interfere with the reception of radiograms or signals from beyond said jurisdiction; and a license shall not be required for the transmission or exchange of radiograms or signals by or on behalf of the Government of the United States, but every Government station on land or sea shall have special call letters designated and published in the list of radio stations of the United States by the Department of Commerce and Labor. Any person, company, or corporation that shall use or operate any apparatus for radio communication in violation of this section, or knowingly aid or abet another person, company, or corporation in so doing, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$500, and the apparatus or device so unlawfully used and operated may be adjudged forfeited to the United States.

SEC. 2. That every such license shall be in such form as the Secretary of Commerce and Labor shall determine and shall contain the

restrictions, pursuant to this act, on and subject to which the license is granted; that every such license shall be issued only to citizens of the United States or to a company incorporated under the laws of some State of the United States and shall specify the ownership and location of the station in which said apparatus shall be used and other particulars for its identification and to enable its range to be estimated; shall state the purpose of the station and in case of a station in actual operation at the date of passage of this act shall contain the statement that satisfactory proof has been furnished that it was actually operating on the above-mentioned date; shall state the wave length or the wave lengths authorized for use by the station for the prevention of interference and the hours for which the station is licensed for work; and shall not be construed to authorize the use of any apparatus for radio communication in any other station than that specified. Every such license shall be subject to the regulations contained herein and such regulations as may be established from time to time by authority of this act or subsequent acts and treaties of the United States. Every such license shall provide that the President of the United States in time of war or public peril may cause the closing of any station for radio communication and the removal therefrom of all radio apparatus, or may authorize the use or control of any such station or apparatus by any department of the Government, upon just compensation to the owners.

SEC. 3. That every such apparatus shall at all times while in use and operation as aforesaid be in charge or under the supervision of a person or persons licensed for that purpose by the Secretary of Commerce and Labor. Every person so licensed for the operation of any radio apparatus on shore shall be a citizen of the United States. Every person so licensed who in the operation of any radio apparatus shall fail to observe and obey regulations contained in or made pursuant to this act or subsequent acts or treaties of the United States, or any one of them, in addition to the punishments and penalties herein prescribed, upon conviction shall suffer the suspension of the said license, and the same shall not be renewed for a period of one year from and after the date of his conviction of any such failure. It shall be unlawful to employ any unlicensed person or for any unlicensed person to serve in charge of the use and operation of such apparatus, and any person violating this provision shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$100 or imprisonment for not more than two months, or both, in the discretion of the court, for each and every such offense: *Provided*, That in case of emergency the Secretary of Commerce and Labor may authorize a collector of customs to issue a temporary permit in lieu of a license to the operator on a vessel subject to the radio ship act of June 24, 1910.

SEC. 4. That for the purpose of preventing or minimizing interference with communication between stations in which such apparatus is operated, to facilitate radio communication, and to further the prompt receipt of distress signals, said private and commercial stations shall be subject to the regulations of this section. These regulations shall be enforced by the Secretary of Commerce and Labor through the collectors of customs and other officers of the Government as other regulations herein provided for.

The Secretary of Commerce and Labor may, in his discretion, waive the provisions of any or all of these regulations when no interference of the character above mentioned can ensue.

The Secretary of Commerce and Labor may grant special temporary licenses to stations actually engaged in conducting experiments for the development of the science of radio communication, or the apparatus pertaining thereto, to carry on special tests, using any amount of power or any wave lengths, at such hours and under such conditions as will insure the least interference with the sending or receipt of commercial or Government radiograms, of distress signals and radiograms, or with the work of other stations.

In these regulations the naval and military stations shall be understood to be stations on land.

REGULATIONS.

NORMAL WAVE LENGTH.

First. Every station shall be required to designate a certain definite wave length as the normal sending and receiving wave length of the station. This wave length shall not exceed 600 meters or it shall exceed 1,600 meters. Every coastal station open to general public service shall at all times be ready to receive messages of such wave lengths as are required by the Berlin convention.

OTHER WAVE LENGTHS.

Second. In addition to the normal sending wave length all stations, except as provided hereinafter in these regulations, may use other sending wave lengths: *Provided*, That they do not exceed 600 meters or that they do exceed 1,600 meters: *Provided further*, That the character of the waves emitted conforms to the requirements of regulations third and fourth following.

USE OF A "PURE WAVE."

Third. At all stations if the sending apparatus, to be referred to hereinafter as the "transmitter," is of such a character that the energy is radiated in two or more wave lengths, more or less sharply defined, as indicated by a sensitive wave meter, the energy in no one of the lesser waves shall exceed 10 per cent of that in the greatest.

USE OF A "SHARP WAVE."

Fourth. At all stations the logarithmic decrement per complete oscillation in the wave trains emitted by the transmitter shall not exceed two-tenths, except when sending distress signals or signals and messages relating thereto.

USE OF "STANDARD DISTRESS WAVE."

Fifth. For the purpose of sending signals of distress every station on shipboard shall be so adjusted, except on vessels of small tonnage unable to have plants insuring that wave length, as to permit these signals to be sent with a wave length of approximately 300 meters.

SIGNAL OF DISTRESS.

Sixth. The distress call used shall be the international signal of distress.

USE OF "BROAD INTERFERING WAVE" FOR DISTRESS SIGNALS.

Seventh. When sending distress signals the transmitter of a station on shipboard may be tuned in such a manner as to create a maximum of interference with a maximum of radiation.

DISTANCE REQUIREMENT FOR DISTRESS SIGNALS.

Eighth. Every station on shipboard, wherever practicable, shall be prepared to send distress signals of the character specified in regulations 5 and 6 with sufficient power to enable them to be received by

day over sea a distance of 100 nautical miles by a shipboard station equipped with apparatus for both sending and receiving equal in all essential particulars to that of the station first mentioned.

"RIGHT OF WAY" FOR DISTRESS SIGNALS.

Ninth. All stations are required to give absolute priority to signals and radiograms relating to ships in distress; to cease all sending on hearing a distress signal; and, except when engaged in answering or aiding the ship in distress, to refrain from sending until all signals and radiograms relating thereto are completed.

REDUCED POWER FOR SHIPS NEAR A GOVERNMENT STATION.

Tenth. No station on shipboard, when within 15 nautical miles of a naval or military station, shall use a transformer input exceeding 1 kilowatt, nor, when within 5 nautical miles of such a station, a transformer input exceeding one-half kilowatt, except for sending signals of distress or signals or radiograms relating thereto.

INTERCOMMUNICATION.

Eleventh. Each shore station open to general public service between the coast and vessels at sea shall be bound to exchange radiograms with any similar shore station and with any ship station without distinction of the radio systems adopted by such stations, respectively, and each station on shipboard shall be bound to exchange radiograms with any other station on shipboard without distinction of the radio systems adopted by each station, respectively.

DIVISION OF TIME.

Twelfth. At important seaports and at all other places where naval or military or private or commercial shore stations operate in such close proximity that interference with the work of naval and military stations can not be avoided by the enforcement of the regulations contained in the foregoing regulations concerning wave lengths and character of signals emitted, such private or commercial shore stations as do interfere with the reception of signals by the naval and military stations concerned shall not use their transmitters during the first 15 minutes of each hour, local standard time. The Secretary of Commerce and Labor may, on the recommendation of the department concerned, designate the station or stations which may be required to observe this division of time.

GOVERNMENT STATIONS TO OBSERVE DIVISIONS OF TIME.

Thirteenth. The naval or military stations for which the above-mentioned division of time may be established shall transmit signals or radiograms only during the first 15 minutes of each hour, local standard time, except in case of signals or radiograms relating to vessels in distress, as hereinbefore provided.

USE OF UNNECESSARY POWER.

Fourteenth. In all circumstances, except in case of signals or radiograms relating to vessels in distress, all stations shall use the minimum amount of energy necessary to carry out any communication desired.

GENERAL RESTRICTIONS ON PRIVATE STATIONS.

Fifteenth. No private or commercial station not engaged in the transaction of bona fide commercial business by radio communication or in experimentation in connection with the development and manufacture of radio apparatus for commercial purposes at the date of passage of this act, shall use a transmitting wave length exceeding 200 meters, or a transformer input exceeding 1 kilowatt, except by special authority of the Secretary of Commerce and Labor contained in the license of the station.

SPECIAL RESTRICTIONS IN THE VICINITIES OF GOVERNMENT STATIONS.

Sixteenth. No station of the character mentioned in regulation 15 situated within 5 nautical miles of a naval or military station shall use a transmitting wave length exceeding 200 meters or a transformer input exceeding one-half kilowatt.

SHIP STATIONS TO COMMUNICATE WITH NEAREST SHORE STATION.

Seventeenth. In general, the shipboard stations shall transmit their radiograms to the nearest shore station. A sender on board a vessel shall, however, have the right to designate the shore station through which he desires to have his radiograms transmitted. The station on shipboard shall then wait until such shore station shall be the nearest. If this can not be done, the wishes of the sender are to be complied with only if the transmission can be effected without interfering with the service of other stations.

LIMITATIONS FOR FUTURE INSTALLATIONS IN VICINITIES OF GOVERNMENT STATIONS.

Eighteenth. No station on shore not in actual operation at the date of the passage of this act shall be licensed for the transaction of commercial business by radio communication within 15 nautical miles of the following naval or military stations, to wit: Arlington, Va.; Key West, Fla.; San Juan, P. R.; North Head and Tatoosh Island, Wash.; San Diego, Cal.; and those established or which may be established in Alaska and in the Canal Zone; and the head of the department having control of such Government stations shall, so far as is consistent with the transaction of governmental business, arrange for the transmission and receipt of commercial radiograms under the provisions of the Berlin convention of 1906 and future international conventions or treaties to which the United States may be a party, at each of the stations above referred to, and shall fix the rates therefor, subject to the control of such rates by Congress. At such stations and wherever and whenever shore stations open for general public business between the coast and vessels at sea under the provisions of the Berlin convention of 1906 and future international conventions and treaties to which the United States may be a party, shall not be so established as to insure a constant service, day and night, without interruption, and in all localities wherever or whenever such service shall not be maintained by a commercial shore station within 100 nautical miles of a naval radio station the Secretary of the Navy shall, so far as is consistent with the transaction of governmental business, open naval radio stations to the general public business described above, and shall fix rates for such service, subject to control of such rates by Congress. The receipts from such radiograms shall be covered into the Treasury as miscellaneous receipts.

SECRECY OF MESSAGES.

Nineteenth. Every operator shall be obligated in his license to preserve, and shall preserve faithfully, the secrecy of radiograms which he may receive or transmit; and for failure to preserve such secrecy his license may be revoked by the Secretary of Commerce and Labor.

PENALTIES.

For violation of any of these regulations, subject to which a license under sections 1 and 2 of this act may be issued, the owner of the apparatus shall be liable to a penalty of \$100, which may be reduced or remitted by the Secretary of Commerce and Labor, and for repeated violations of any of such regulations, which shall be deemed a misdemeanor, the license may be revoked.

For violation of any of these regulations, subject to which a license under section 3 of this act may be issued, the operator shall be subject to a penalty of \$25, which may be reduced or remitted by the Secretary of Commerce and Labor, and for repeated violations of any such regulations, which shall be deemed a misdemeanor, the license may be suspended.

SEC. 5. That every license granted under the provisions of this act for the operation or use of apparatus for radio communication shall prescribe that the operator thereof shall not willfully or maliciously interfere with any other radio communication. Such interference shall be deemed a misdemeanor, and upon conviction thereof the owner or operator, or both, shall be punishable by a fine of not to exceed \$500 or imprisonment for not to exceed one year, or both.

SEC. 6. That the expression "radio communication" as used in this act means any system of electrical communication by telegraphy or telephony without the aid of any wire connecting the points from and at which the radiograms, signals, or other communications are sent or received.

SEC. 7. That a person, company, or corporation within the jurisdiction of the United States shall not knowingly utter or transmit, or cause to be uttered or transmitted, any false or fraudulent distress signal or call or false or fraudulent signal, call, or radiogram of any kind. The penalty for so uttering or transmitting a false or fraudulent distress signal or call shall be a fine of not more than \$2,500 or imprisonment for not more than five years, or both, in the discretion of the court, for each and every such offense, and the penalty for so uttering or transmitting, or causing to be uttered or transmitted, any other false or fraudulent signal, call, or radiogram shall be a fine of not more than \$1,000 or imprisonment for not more than two years, or both, in the discretion of the court, for each and every such offense.

SEC. 8. That a person, company, or corporation shall not use or operate any apparatus for radio communication on a foreign ship in territorial waters of the United States otherwise than in accordance with the provisions of sections 4 and 7 of this act and so much of section 5 as imposes a penalty for interference. Save as aforesaid, nothing in this act shall apply to apparatus for radio communication on any foreign ship.

SEC. 9. That the trial of any offense under this act shall be in the district in which it is committed or in any district in which the offender may be found, or if the offense is committed upon the high seas or out of the jurisdiction of any particular State or district the trial shall be in the district where the offender may be found or into which he shall be first brought.

SEC. 10. That this act shall take effect and be in force on and after 90 days from its passage.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question.

Mr. ALEXANDER. Very well.

Mr. MANN. This is a very important subject to which attention has been particularly attracted in recent days. I have examined the bills which the gentleman from Missouri has reported from his committee and would like to take occasion to congratulate the gentleman from Missouri on the very hard, earnest, and intelligent work that his committee has done in reference to these various propositions.

Mr. ALEXANDER. I appreciate the compliment.

Mr. MANN. I think the work done by the Committee on the Merchant Marine and Fisheries at this session is the most important that has been done by that committee in many years, and, I will say, is as important as any committee of this House. Yet it seems to me that a bill of this sort ought to receive more consideration than can be given it on the unanimous-consent calendar. Now, does not the gentleman believe if Congress runs on he will have an opportunity to bring this up by unanimous consent, fixing a day for its consideration in the near future? The gentleman has introduced a rule providing for the consideration of a number of bills. Of course, if we should have the good fortune to adjourn Congress in the middle of this month, I take it—

Mr. BUTLER. That is a radiogram the gentleman is sending.

Mr. MANN (continuing). That this bill would have to go over; but, even at that, if we should adjourn this month without the consideration of this bill and these other bills which the gentleman has for consideration, the gentleman will remember, when we convene in December, there are no appropriation bills ready to report, and that gentlemen who are ready to take up other bills at once usually get most of the month of December for the passage of such bills. This being a Senate bill, and we pass it, that would end it. Now, I do not think the gentleman ought to ask the House to consider a bill like this on unanimous-consent day, notwithstanding its great importance and notwithstanding the intelligent work which the gentleman and his committee have done on this and the other bills.

Mr. ALEXANDER. Mr. Speaker, I appreciate all the gentleman has said, and I appreciate very much the compliment he has paid to my committee.

Mr. MANN. It was deserved.

Mr. ALEXANDER. Now, I felt it my duty, in view of the lateness of the session and the chances that the bill might not

be reached on the call of committees, to exhaust every parliamentary method to secure consideration of this bill.

Mr. MANN. The gentleman was quite right in that, of course.

Mr. ALEXANDER. And I appreciate the weight of the suggestion made by the gentleman from Illinois, and, as the bill has been read, if the gentleman thinks it ought not to be considered to-day, why would it not be well to ask unanimous consent that its consideration may be deferred until the next Unanimous Consent Calendar day? That will give the Members of the House an opportunity to study the bill, and if there are amendments which they wish to have considered, I shall be very glad to entertain them. I think it possibly may be better to let the House adopt amendments to the bill if it so desires and let it go over to the Senate, and if they are rejected let the bill go to conference. This bill, of course, comes to the House and the Senate from the Department of Commerce and Labor, cooperating with the Navy and War Departments. There are very large commercial interests involved; extensive hearings have been held both by the Senate and House committees, and the bill has been considered for months past by subcommittees of the House and the Senate, and as amendments were suggested in one committee they were conveyed to and considered and in most instances agreed to by the other, so that the two bills are in all essential particulars the same.

Mr. BUTLER. I notice a little difference in the reading.

Mr. ALEXANDER. I can point out the differences to the gentleman. It was simply that I might discharge a duty which is an important one in having wireless telegraphy regulated, to prevent the interferences that are a constant source of annoyance, and to place this great art on some footing under wholesome and reasonable regulations that I have placed it on the Calendar for Unanimous Consent.

Mr. MANN. Will the gentleman yield to allow me to ask one question on the subject matter of the bill?

Mr. ALEXANDER. Certainly.

Mr. MANN. What jurisdiction, in the first place, has the Government of the United States over an electric current which passes in the air from one State to another? How can anybody tell the effect of a radiogram which extends beyond the exclusive jurisdiction of a State or Territory where the same originates?

Mr. ALEXANDER. Of course, that provision is incorporated under the provision of the Constitution vesting in Congress the power to regulate commerce between the States, and if a radiogram or message sent by a station within a State is received by a station beyond a State it might be regarded as interstate business and may be taken as evidence of the fact that they are violating this law. The purpose of the bill is to prevent interference by amateurs with commercial and Government business.

Mr. MANN. If the gentleman will permit, I do not think he gets part of my question. Say there is an amateur working with a wireless instrument and he sends out a current. It goes beyond the limits of a State, and by the fact it goes beyond the limits of the State he is subjected to an offense under the provisions of this bill.

Mr. ALEXANDER. Yes; if they use a wave length exceeding 200 meters or it interferes with Government or commercial stations.

Mr. MANN. Oh, it does not make any difference what is the wave length he uses. If he has not taken out a license under the provisions of this bill, he can not send out a radiogram or other electric current the effect of which extends beyond the limits of the State. How does anyone know how far it goes, and if they do know, how far does the commerce clause of the Constitution give to us the power to say that that thing done in a particular State the effect of which extends beyond the State is punishable? In other words, we say that a man on the Indiana side of the State line between Indiana and Illinois can not talk because the sound of his voice goes across the State line.

Mr. ROBERTS of Massachusetts. If that is an interference with interstate commerce.

Mr. MANN. That has nothing to do with interference with interstate commerce. This requires a license. I only ask the gentleman—

Mr. BUTLER. So that he may think about it.

Mr. MANN. So he may think about it. Now, if the gentleman will permit, I do not propose to place the responsibility upon the gentleman, but assume it myself. I shall object to the consideration of the bill at this time, but will not object to the gentleman asking unanimous consent to pass the bill over without objection to the next calendar day.

Mr. ALEXANDER. I think that is quite fair.

Mr. MANN. And let it come up on the next calendar day.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the consideration of this bill may go over without prejudice until the next calendar Monday.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] asks unanimous consent that the consideration of this bill go over without prejudice until two weeks from to-day.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The bill on the Unanimous Consent Calendar is the House bill. As I understand, the Senate bill has been substituted now for that on the Calendar for Unanimous Consent, and it is the Senate bill that goes over.

The SPEAKER. Yes; it is the Senate bill that goes over. Is there objection?

Mr. BUTLER. Mr. Speaker—

Mr. MANN. What about the House bill?

The SPEAKER. The House bill will be laid on the table, under the usual practice, if anybody asks for it to be.

Mr. MANN. The House bill might as well be laid on the table.

Mr. BUTLER. This request carries the consideration of the bill over for two weeks from this day?

The SPEAKER. That is the Senate bill.

Mr. MANN. Unless it should come up sooner?

The SPEAKER. Yes; and by unanimous consent the House bill is laid on the table. The Chair will call the attention of the gentleman from Missouri and of the gentleman from Illinois to the fact that the last six days of the session are suspension days. Of course, that has nothing to do with the Calendar for Unanimous Consent.

Mr. MANN. Mr. Speaker, I hope the Speaker will not make that statement, because it has always been held heretofore that the last six days of the session, which will not occur at this session, being suspension days, are also Unanimous-Consent Calendar days.

The SPEAKER. The Chair does not hold that now, because the Chair is not required to pass an opinion upon it. The Chair was referring only to the two-thirds rule. There may not be the six days in contemplation of that clause. We do not know about it.

CARRIAGE OF DANGEROUS ARTICLES ON PASSENGER STEAMERS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23001) to amend section 4472 of the Revised Statutes of the United States, relating to the carrying of dangerous articles on passenger steamers.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4472 of the Revised Statutes of the United States, as amended by the act of March 3, 1905, and by the act of May 28, 1906, be further amended by substituting a colon for the period at the end of said section as amended and adding thereto the following proviso: "Provided further, That nothing in the foregoing or following sections of this act shall prohibit the use, by steam vessels carrying passengers for hire, of lifeboats equipped with gasoline motors and tanks containing gasoline for the operation of said motor-driven lifeboats: *Provided, however,* That no gasoline shall be carried other than that in the tanks of the lifeboats."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 5, by adding, after the word "lifeboats," the following proviso:

"Provided further, That the use of such lifeboats equipped with gasoline motors shall be under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce and Labor."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SUPPORT OF ENTRY AND DELIVERY, INDIANA HARBOR, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16674) to establish a support of entry and delivery at Indiana Harbor, in the State of Indiana.

The Clerk read the bill, as follows:

Be it enacted, etc., That Indiana Harbor, in the State of Indiana, on the southern shore of Lake Michigan, be, and the same is hereby, constituted a support of entry and delivery within the district of Chicago, Ill., and customs officers shall be stationed at said support with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services, and receive such compensation, as in the judgment of the Secretary of the Treasury the exigencies of commerce may require.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. Mr. Speaker, this bill being on the Union Calendar, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Indiana [Mr. CRUMPACKER] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CRUMPACKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SALE OF CERTAIN LANDS TO STATE OF IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20634) authorizing the donation of the lands, buildings, and other property heretofore used as the Lemhi Indian School, on the Lemhi Reservation in Idaho, to the State of Idaho.

The Clerk read the bill, as follows:

Be it enacted, etc., That the lands and buildings and other property heretofore used as a school for the Lemhi Indians, and situated on the Lemhi Reservation in Idaho, are hereby donated to the State of Idaho, to be used as a reform school by said State; and the Secretary of the Interior is hereby authorized to issue patent in fee to the State of Idaho for the property embraced in this grant.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I ask to have the amendment reported, reserving the right to object.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out lines 3, 4, 5, 6, 7, 8, and 9, page 1, and substituting the following:

"That the Secretary of the Interior be, and he is hereby, authorized to cause to be sold, under such regulations, terms, and conditions as he may prescribe, the unappropriated school and agency lands on the former Lemhi Indian Reservation, in the State of Idaho, described as follows: Northwest quarter, northwest quarter southwest quarter, section 28, northeast quarter northeast quarter, west half southwest quarter northeast quarter, east half southeast quarter northeast quarter, excepting 1 acre of ground and the building thereon to be sold to the school board of district No. 26, Lemhi County, Idaho; lot 1, northwest quarter southeast quarter, south half southeast quarter, section 29, township 18 north, range 24 east, Boise meridian, containing 434 acres, together with the buildings thereon, and to convey the same by patent or patents in fee simple to the purchaser or purchasers: *Provided*, That the State of Idaho shall be given the preference right for one year from and after the passage of this act to purchase said lands, together with the buildings, at the present appraised value thereof."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill providing for the sale of the Lemhi School and Agency plant and lands on the former Lemhi Reservation, in the State of Idaho."

On motion of Mr. FRENCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

NORWEGIAN ICE BREAKER "KIT."

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17235) to grant American registry to the Norwegian ice breaker *Kit*.

Mr. WILSON of Pennsylvania. Mr. Speaker, in the absence of the gentleman from Texas [Mr. HARDY], I ask unanimous consent that the bill go over until the next unanimous-consent day, without prejudice.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that this bill go over, without prejudice, until the next unanimous-consent day. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

SUBPORT OF ENTRY AT BAY CITY, MICH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17679) to make Bay City, Mich., a subport of entry.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the substitute be read in lieu of the original bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the substitute be read in lieu of the bill. Is there objection?

There was no objection.

The Clerk read the substitute, as follows:

That Bay City, in the State of Michigan, be, and is hereby, constituted a subport of entry in the customs collection district of Huron,

and that the privileges of the first section of the immediate transportation act, approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to said support. And such customs officers may, in the discretion of the Secretary of the Treasury, be stationed at said support as, in his judgment, the interests of the service may require, who shall receive such compensation as may be fixed by him.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the amendment.

Mr. MANN. Mr. Speaker, this is on the Union Calendar. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was accordingly read the third time, and passed.

On motion of Mr. RAINEY, a motion to reconsider the last vote was laid on the table.

RADIO COMMUNICATION ON CERTAIN OCEAN STEAMERS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3815) to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910.

The bill was read as follows:

Be it enacted, etc., That the act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, be amended by the addition of the following words to section 1:

"*Provided also*, That on and after the 1st day of July, 1912, it shall be unlawful for any ocean-going steamer of the United States or of any foreign country, carrying 100 or more persons, whether passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication in good working order, in charge of two or more persons skilled in the use of such apparatus, one of whom shall be on duty at all hours of the day and night, which apparatus shall be capable of transmitting and receiving messages over a distance of at least 100 miles, night or day."

The following substitute proposed by the Committee on the Merchant Marine and Fisheries was read:

That section 1 of an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, be amended so that it will read as follows:

"SECTION 1. That from and after October 1, 1912, it shall be unlawful for any steamer of the United States or of any foreign country navigating the ocean or the Great Lakes and licensed to carry 50 or more persons, including passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication, in good working order, capable of transmitting and receiving messages over a distance of at least 100 miles, day or night, under all conditions of atmospheric disturbance when it is safe for the operator to work the set. An auxiliary power supply, independent of the vessel's main electric power plant, must be provided which will enable the sending set for at least four hours to send messages over a distance of at least 100 miles, day or night, under all atmospheric conditions safe for an operator to work."

"The radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated. Such equipment, operators, the regulation of their watches, and the transmission and receipt of messages, except as may be regulated by law or international agreement, shall be under the control of the master, in the case of a vessel of the United States; and every willful failure on the part of the master to enforce at sea the provisions of this paragraph as to equipment, operators, and watches shall subject him to a penalty of \$100."

"That the provisions of this section shall not apply to steamers plying only between ports less than 200 miles apart."

SEC. 2. That this act, so far as it relates to the Great Lakes, shall take effect on and after April 1, 1913, and so far as it relates to ocean-going cargo steamers shall take effect on and after July 1, 1913.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman whether he thinks it would be proper for this bill to go over with the other one, which went over a few minutes ago?

Mr. ALEXANDER. This is a substitute for the Senate bill, which was passed by the Senate as an amendment to the act of June 24, 1910. I would prefer that it be considered now. It is a simple proposition. If any amendments are desired to improve the bill, we have no particular pride in the language.

Mr. MANN. I should like to ask the gentleman one question in reference to the bill, if I may.

Mr. ALEXANDER. Certainly.

Mr. MANN. The provision is that the radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated. Just what jurisdiction has the United States to say how a vessel shall be navigated on the high seas, outside of the 3-mile limit, if that vessel belongs to a foreign country?

Mr. ALEXANDER. I should say that we have no jurisdiction to enforce the penalty, and as to those vessels it would be no more than advisory. At the same time, I could point the gentleman to legislation by Congress along the same lines, in which they prescribe regulations for foreign ships on the high seas.

Mr. BUTLER. Could we not decline to admit them to American ports and decline to give them clearance papers?

Mr. MANN. That is the trouble. Supposing Great Britain makes one regulation for foreign ships on the high seas and we make another regulation concerning the same ships on the high seas. Those ships would be on the high seas, but they would be between the devil and the deep sea.

Mr. BUCHANAN. They would be between two devils, would they not?

Mr. ALEXANDER. In my opinion the practical effect would be that it would be impossible to enforce the penalties except as to American vessels or foreign vessels in American waters.

Mr. MANN. Of course we could decline to give clearance and entry unless they did certain things, but I do not see where we get the authority to control the navigation of a foreign vessel on the high seas, and I have been afraid that if we assume that authority other nations will assume the same thing, and that there will be conflict rather than accord.

Mr. BUTLER. Will the gentleman explain why it is that the limit is placed at 100 passengers? It seems to me all ships carrying passengers for hire, even if no more than half a dozen, ought to have the very best wireless apparatus.

Mr. MANN. How can a little tugboat carry wireless apparatus?

Mr. BUTLER. A little tugboat would not be carrying passengers for hire.

Mr. MANN. Not on the high seas.

Mr. BUTLER. No.

Mr. MANN. But they would on the rivers and lakes.

Mr. ALEXANDER. The House substitute provides that it shall apply to 50 or more persons, including the crew. The Senate bill makes it apply to 100 persons.

Mr. BUTLER. I did not hear the reading of the amendment.

Mr. ALEXANDER. That is the existing law, except that the existing law does not apply to cargo vessels, whereas the committee amendment does apply to cargo vessels as well as to passenger vessels.

Mr. BUTLER. Does not the law apply to vessels carrying both passengers and freight?

Mr. ALEXANDER. Not the existing law.

Mr. BUTLER. It should.

Mr. ALEXANDER. This amendment proposes to do so.

Mr. BUTLER. I did not hear it as it was read, and I could not get a copy of the bill. I understand that the committee substitute applies to vessels carrying 50 or more persons, including the crew.

Mr. ALEXANDER. With the gentleman's permission, I will explain briefly the provisions of the House substitute for the Senate bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MANN. I reserve the right to object until the gentleman finishes his explanation.

Mr. ALEXANDER. The act of June 24, 1910, which may be found on page 424 of the navigation laws of the United States, requires passenger vessels to be equipped with wireless apparatus. That act applies to passenger steamers carrying 50 or more persons, including passengers and crew. It also provides that those vessels should be equipped with apparatus for radio communication, and that the apparatus should be in charge of a skilled operator. This bill only amends section 1 of that act.

The first amendment suggested by the Committee on the Merchant Marine and Fisheries to the Senate bill is to postpone the time when the act shall go into effect till October 1, 1912. I am not sure but that the bill should be amended so as to provide that it shall go into effect on the 1st of January next, because I have communications from the companies manufacturing wireless apparatus and from the vessel owners who are endeavoring to secure operators stating that it will be very difficult to provide the apparatus and to secure skilled operators by the 1st day of October next.

The second respect in which the House substitute amends the Senate bill is to provide that the act shall apply to cargo as well as passenger vessels, where they carry or are licensed to carry 50 or more persons, including passengers or crew, or both. The House substitute provides:

That from and after October 1, 1912, it shall be unlawful for any steamer of the United States or of any foreign country navigating the ocean or the Great Lakes and licensed to carry 50 or more persons,

including passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication, in good working order, capable of transmitting and receiving messages over a distance of at least 100 miles, day or night, under all conditions of atmospheric disturbance when it is safe for the operator to work the set.

There are times when it is dangerous to the operator's life to work the set, for instance, during thunderstorms.

You will note that we further amend the existing law by providing—

that an auxiliary power supply, independent of the vessel's main electric power plant, must be provided which will enable the sending set for at least four hours to send messages over a distance of at least 100 miles, etc.

Suggestions have been made that we ought to provide for an auxiliary power supply to enable the sending set to send messages over a distance of 300 miles or more, but manifestly if the ship was foundering at sea it would not be possible for a ship more than 100 miles away to go to her relief, and hence 100 miles for all practical purposes will meet the situation.

Mr. BUTLER. That is only six hours' notice. I was wondering why the gentleman did not increase the distance of the radiograph from 100 to 300 miles, but he is making the explanation.

Mr. ALEXANDER. Yes. Then it is well known that daylight absorbs the radio energy, and the efficiency of the apparatus in the daytime is not so great as at night. The provision in the committee substitute is that the auxiliary power supply shall be efficient for 100 miles both day and night.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. ALEXANDER. Certainly.

Mr. MOORE of Pennsylvania. There is nothing in this bill that binds ordinary tugboats plying in harbors to comply with its conditions, is there?

Mr. ALEXANDER. No. The Senate bill and the committee substitute both provide:

The radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated.

The criticism that we have no jurisdiction over foreign vessels navigated outside of our waters is a legitimate criticism, but we will not undertake to enforce any penalty against those vessels in our courts for an offense committed outside of the 3-mile limit, but it is intended to apply to all vessels of the United States.

The committee substitute for the Senate bill further provides that such equipment, operators, the regulation of their watches, and the transmission and receipt of messages, except as may be regulated by law or international agreement, shall be under the control of the master in the case of a vessel of the United States, and that every willful failure on the part of the master to enforce at sea the provisions of this paragraph as to equipment, operators, and watches shall subject him to a penalty of \$100.

Now, the Berlin convention regulates many of these matters, and from time to time we may pass further legislation relating to wireless telegraphy, and hence that clause was inserted to meet those conditions as they may arise.

Mr. GARNER. Mr. Speaker, may I ask the gentleman for whose benefit he is making this explanation?

Mr. ALEXANDER. I am making it for the benefit of the House.

Mr. GARNER. Who reserved the objection?

Mr. ALEXANDER. The gentleman from Illinois [Mr. MANN].

Mr. GARNER. But the gentleman from Illinois has been busily engaged in conversation with two other gentlemen for some time.

Mr. MANN. I beg the gentleman's pardon; I can listen to all that the gentleman from Texas says worth hearing and talk with two other gentlemen besides. [Laughter.] I have listened carefully to what the gentleman from Missouri has been saying, and I will say, further, that I do not desire to object. The gentleman desired to explain his bill, and I reserved an objection. I did not desire to talk all day on the bill.

Mr. GARNER. Well, Mr. Speaker, I simply wanted to bring the matter to a close.

Mr. WILLIS. Will the gentleman from Missouri yield for a question?

Mr. ALEXANDER. Yes.

Mr. WILLIS. I want to ask the gentleman whether he has considered what might be the result of the language in lines 19, 20, and 21, on page 3—

That the provisions of this section shall not apply to steamers plying only between ports less than 200 miles apart.

It occurs to me that there are ports less than 200 miles apart between which vessels are plying and where such vessels carry

a large number of passengers. I ask the gentleman whether it would not be advisable to have that language stricken out?

Mr. ALEXANDER. That is the existing law, passed in 1910.

Mr. WILLIS. Does the existing law apply to steamers on the Great Lakes the same as on the ocean?

Mr. ALEXANDER. It does not, but this will. I am told that most of the steamers on the Great Lakes are equipped with wireless telegraphy now.

Mr. WILLIS. Even if it is existing law, does not the gentleman think it would be wise to have this provision stricken out so that the requirement might apply to vessels that carry a large number of passengers between lake ports where the lives of thousands of people are involved? I do not see why this distinction should be in there.

Mr. ALEXANDER. We were reluctant to disturb existing law unless it was necessary.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read the amendment in the nature of a substitute.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The amended Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DISPOSITION OF CONDEMNED BRONZE OR BRASS CANNON IN CERTAIN CITIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 24458) authorizing the Secretary of War, in his discretion, to deliver to certain cities and towns condemned bronze or brass cannon, with their carriages and outfit of cannon balls, and so forth.

The Clerk proceeded to read the bill.

Mr. HAY. Mr. Speaker, this bill was read in the House in full two weeks ago and I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to waive the reading of the bill. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. MANN. Will the gentleman from Virginia object if I offer an amendment to the bill?

Mr. HAY. Not at all. I think every city that wants one of these cannon ought to have it.

Mr. MANN. I would like one for the city of Chicago or for a Grand Army post.

The SPEAKER. The Clerk will read the amendment.

Amend, page 5, after line 8, by inserting as a new paragraph the following:

"To the city of Chicago, Ill., one condemned bronze or brass cannon with its carriage and a suitable outfit of cannon balls, to the use of L. H. Drury Post, No. 467, Grand Army of the Republic, the same to be subject at all times to the order of the Secretary of War."

Mr. GARNER. That does not cost the Government anything; it is subject to the proviso, is it?

Mr. MANN. It comes in ahead of the proviso.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAY, a motion to reconsider the last vote was laid on the table.

IMMIGRATION STATION SITE, BALTIMORE, MD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20501) to authorize the Secretary of Commerce and Labor to exchange the site heretofore acquired for a United States immigration station at Baltimore, Md., for another suitable site, and to pay, if necessary, out of the appropriation heretofore made for said immigration station an additional sum in accomplishing such exchange; or to sell the present site, the money procured from such sale to revert to the appropriation made for said immigration station, and to purchase another site in lieu thereof.

The Clerk began to read the bill.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to have this bill go over.

Mr. TOWNER. Mr. Speaker, I was just going to ask, at the request of the gentleman from Maryland [Mr. LINTHICUM], that, pending some facts which he desires to investigate, the bill may go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas and the gentleman from Iowa? There was no objection.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4568. An act granting an increase of pension to Annie R. Schley; to the Committee on Pensions.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 323. Joint resolution authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. J. Res. 323. Joint resolution authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson.

DESERT-LAND ENTRIES, CHUCKAWALLA VALLEY, CAL.

The next business on the Calendar for Unanimous Consent was the bill (S. 6508) to exempt from cancellation certain desert-land entries in the Chuckawalla Valley, Cal.

The Clerk read the bill, as follows:

Be it enacted, etc. That no desert-land entry heretofore made in good faith under the public-land laws for lands in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5 and 6 south, range 22 east, Santa Bernardino meridian, State of California, shall be canceled because of failure on the part of the entryman to make any annual or final proof falling due upon any such entry prior to May 1, 1913.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I will state that I understand the situation and think the bill is all right, but reading it over hurriedly just now this fact has occurred to me, that it might affect some entries other than those the gentleman had in mind, because it provides that no entry shall be canceled because of failure on the part of entryman to make any annual or final proof falling due upon any such entry prior to May 1, 1913. Does the gentleman want to include any such entries against which contests might have been filed?

Mr. RAKER. I think this would cover them all. In other words, if there have been contests filed—

Mr. MONDELL. Does the gentleman know whether there have been such contests?

Mr. RAKER. There seem to have been none, so far as the report of the department is concerned and so far as the information that I can get from those who live in the valley is concerned. I received several letters, one yesterday and one to-day. The history of the matter is set out clearly in the report. It simply gives these people up until that time to determine whether they will go ahead and try to improve the desert claims. There are about 780 of them, and there is a contest now between the United States and Mexico as to who is entitled to the water. This bill will give these people the necessary temporary relief until the water controversy between the United States and Mexico is settled. This relief is urgent and necessary and I trust it will pass.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, this is on the Union Calendar, and I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE BETWEEN DAUPHIN ISLAND AND MAINLAND AT CEDAR POINT, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23799) to amend "An act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands."

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of Congress approved June 25, 1910, entitled "An act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge, or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay, and to dredge the said Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," be amended to read as follows:

"Sec. 6. That the authority granted in section 1 of said act shall be considered withdrawn and deemed to be revoked if the said railroad bridge or bridges and approaches thereto be not constructed and put in operation by or before the 18th day of September, 1916."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I do not suppose that the gentleman from Maryland [Mr. COVINGTON] in charge of the bill will know, but there is some item relating to this matter, I think, which was inserted as an amendment in the Senate to the river and harbor bill. Is the gentleman familiar with that?

Mr. COVINGTON. I understand, Mr. Speaker, that the necessity for this bill is that the bridge work depends upon certain river and harbor work, and that the time for construction of the bridge having expired and the river and harbor work not having been completed, but an appropriation now being provided for it, it is necessary to extend the time to construct the bridge. It is represented that it can not be satisfactorily constructed until the river and harbor work is done.

Mr. MANN. There is in the river and harbor bill now in conference a Senate amendment. I do not recall just what it is, nor whether it is as to the same company, but it gives certain rights to some company with reference to Dauphin Island. I do not know whether it is in conflict with this or whether it is the same thing. Of course, if it is the same thing it does not make any difference. If it goes through in this bill, it would not have to stay in the river and harbor bill.

Mr. COVINGTON. I do not think it affects this proposition.

Mr. MANN. I think it does affect this, but I shall not object.

Mr. SABATH. Mr. Speaker, reserving the right to object, I will ask the gentleman where Dauphin Island is?

Mr. COVINGTON. It is near Mobile, Ala.

Mr. SABATH. Is that the property that is now being used by a railroad?

Mr. COVINGTON. I think so.

Mr. MANN. Dauphin Island is between Mobile and the Gulf. We have had this matter up a number of times in the Committee and in the House.

Mr. COVINGTON. This legislation in one form or another has been before the House a number of times.

Mr. SABATH. Is not this the fact, that this railroad is trying to preclude other companies from getting into the harbor?

Mr. COVINGTON. Oh, no.

Mr. SABATH. If I am not mistaken, some charges have been made to that effect.

Mr. COVINGTON. Mr. Speaker, I think the gentleman refers to the situation of the Mobile & Ohio Railroad Co., in connection with what are known as the Turner-Hartwell Docks. That is a controversy with regard to the exclusive operation of certain water-front properties and the monopoly of terminal facilities at Mobile.

Mr. SABATH. That is it.

Mr. COVINGTON. It has no connection whatever with the Dauphin Island Railway & Harbor Co.

Mr. SABATH. This is not the property or place?

Mr. COVINGTON. No. The dock and terminal controversy is a matter which is now before the Interstate Commerce Commission as affecting the right to the exclusive control of dock operations within the city of Mobile.

Mr. SABATH. That is what I had reference to.

Mr. MANN. This is an effort to construct a competing proposition below the city.

Mr. COVINGTON. This is an effort of the citizens of Mobile themselves to provide for the destruction of the exclusive monopoly that exists there.

Mr. SABATH. I understood there was an exclusive right maintained by the Mobile & Ohio Co., and no other railroad company was able to enter the harbor and could not obtain any facilities. I did not know whether this was owned by the Mobile & Ohio or was a separate and distinct and independent railroad.

Mr. COVINGTON. It is a separate and distinct concern. It provides competition rather than promotes monopoly.

Mr. SABATH. The gentleman is sure of that?

Mr. COVINGTON. That is my understanding.

Mr. SABATH. And will give the people of Mobile relief from the operation of the Mobile & Ohio Railroad?

Mr. COVINGTON. That is my understanding.

Mr. MOORE of Pennsylvania. It does not involve any cost to the Government?

Mr. COVINGTON. None at all.

Mr. ADAMSON. It is merely extending the time to build the bridge.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out section 6 and insert:

"That the Dauphin Island Railway & Harbor Co., a corporation existing under the laws of the State of Alabama, be, and it is hereby, authorized to construct, maintain, and operate a bridge or bridges, and approaches thereto, between the mainland, at a point suitable to the interests of navigation at or near Cedar Point, and Dauphin Island, both Little and Big, situated in Mobile County, State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the authority hereby granted shall be considered as withdrawn and deemed to be revoked if the said bridge or bridges and approaches thereto be not constructed and put in operation by or before the 18th day of September, 1916."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COVINGTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS GOOSE CREEK, BERKELEY COUNTY, S. C.

The next business on the Calendar for Unanimous Consent was the bill (S. 6848) authorizing the Cooper River Corporation, a corporation organized under the laws of the State of South Carolina, to construct, maintain, and operate a bridge and approaches thereto across Goose Creek, in Berkeley County, S. C.

The Clerk read as follows:

Be it enacted, etc., That the Cooper River Corporation, a corporation organized under the laws of the State of South Carolina, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Goose Creek, at or near a point within a radius of about one and one-half miles below the waterworks spillway, in Berkeley County, State of South Carolina, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore (Mr. GRAHAM). Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk reads as follows:

Page 1, line 9, after the words "South Carolina," insert "at a point suitable to the interests of navigation."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COVINGTON a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER OF THE NORTH AT PEMBINA, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill (S. 6614) to authorize the construction of a pontoon bridge across the Red River of the North between Pembina, N. Dak., and St. Vincent, Minn.

The Clerk read as follows:

Be it enacted, etc., That the municipal authorities of Pembina, in the State of North Dakota, and St. Vincent, in the State of Minnesota, are hereby authorized to construct and maintain a pontoon bridge across the Red River of the North, at a point suitable to the interests of navigation within the corporate limits of said cities, in accordance with the provisions of the act of Congress entitled "An

act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COVINGTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

WALHALLA, NECHE, AND ST. JOHN, N. DAK., SUPPORTS OF ENTRY.

The next business on the Calendar for Unanimous Consent was the bill (S. 4572) to designate Walhalla, Neche, and St. John, in the State of North Dakota, supports of entry, and to extend the privileges of the first section of the act of Congress, approved June 10, 1880, to said supports.

The Clerk read as follows:

Be it enacted, etc., That Walhalla, Neche, and St. John, in the State of North Dakota, be, and the same are hereby, designated supports of entry in the customs collection district of North and South Dakota.

SEC. 2. That the privileges of the first section of the act approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to the said supports.

SEC. 3. That the Secretary of the Treasury is hereby authorized to discontinue the said supports of entry, or to withdraw the privileges of the first section of the act of June 10, 1880, therefrom, at any time when he shall be satisfied that the interests of commerce or of the revenue no longer require their continuance.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I observe that this bill proposes to make three different places in North Dakota supports of entry. We have already to-day passed two bills each making one place a support of entry and another bill of the same character was objected to. What is the additional expense, if any, to the Government where one of these towns is made a support of entry? Does the gentleman happen to know?

Mr. HAMMOND. In the report it appears that there will be no extra expense to the Government. These are three small towns on the North Dakota border. Already a customs officer is there to examine freight and passengers' baggage, and if they are made supports of entry there will be no additional expense so far as known.

Mr. MANN. I know the Secretary of the Treasury reports in this case that there will be no extra expense. I desire to have it go on the record because I am very certain that that statement is incorrect.

Mr. HAMMOND. Unless business should increase so very, very largely that it will be necessary to have more officers there I can say the statement is correct. I do not see how there can be any more expense. The amount of business done in all three of those towns will not probably exceed \$6,000 at the present time, and this is simply a convenience—

Mr. MANN. I understand it is a convenience which I think should be granted where it can be and where it is not too expensive.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMMOND. Mr. Speaker, this bill is upon the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to consider this bill in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HAMMOND, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTRUCTION OF BRIDGE ACROSS SNAKE RIVER IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21171) authorizing the use of the reclamation fund in the construction of a bridge across Snake River in Wyoming.

Mr. MONDELL. Mr. Speaker, I wish to ask the gentleman from Oklahoma [Mr. CARTER] if he intends to object to the consideration of this bill. If he does, I do not care to take up the time of the House in having it read.

Mr. CARTER. Mr. Speaker, I much regret that at the request of my colleague from Oklahoma [Mr. FERRIS] I will be obliged to object.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

LIGHTING OF PINEY BRANCH ROAD FROM GEORGIA AVENUE TO BUTTERNUT STREET.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 21708) to authorize the lighting of Piney Branch Road from Georgia Avenue to Butternut Street.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to light and maintain the lights on Piney Branch Road from Georgia Avenue to Butternut Street.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, considering the fact the District of Columbia Committee has been shunted a few times from District day, I suppose there is no real objection to putting a District bill on the Calendar for Unanimous Consent, although that is not to be the customary thing.

Mr. LOBECK. I do not think so.

Mr. MANN. Now, may I ask the gentleman: Under the existing law the District Commissioners have the authority to light this street?

Mr. LOBECK. They seem to have that authority whenever they want to change a street or make any changes in a street.

Mr. MANN. Well, now, I have been here a long time, and I do not recall any case where Congress passed a bill directing that a certain street be lighted. I am very confident that the District Commissioners have authority to light streets out of appropriations that Congress makes for that purpose. Now, does the gentleman propose that Congress shall hereafter determine in each case where a gas lamp shall be located and not the District Commissioners?

Mr. LOBECK. I only know in this case that this street was lighted for over 30 years, and I know from having seen the street myself that the lights should not have been removed, but by some authority the lights have been taken away from the street, and a wrong has been done to citizens and home owners on that street. It is a street that has much travel now, more than any street in that neighborhood.

Mr. MANN. Is not this the case, that Congress appropriates so much money for street lighting, but did not appropriate the amount which the District Commissioners asked for, but Congress made a reduction, a perfectly proper practice. Thereupon the District Commissioners, making an examination of the situation and being compelled to make use of the money as best they could, came to the conclusion that this street might do without lighting better than some other street and thereupon cut off the lamps. Now Congress proposes to order the lamps to be restored, but did not provide the means.

Mr. LOBECK. No. It is reported that the commissioners removed these lights, placed them on another street, and removed the lights from a street that has a great deal of travel on it, that has buildings built along it and homes built along it and has been lighted for the last 30 years. This street or road has been lighted during all that time. The lights should not have been taken away, as anyone will agree who will go over the street.

Mr. MANN. The fact is they cut off those lights in order to light some other place.

Mr. LOBECK. That is what is reported.

Mr. MANN. The gentleman said the commissioners moved these lamps to another street—

Mr. LOBECK. You can call it moving, but they took them away.

Mr. MANN. I do not know whether they did or not. The fact is that they cut off these lights because they could not light all the places they wanted to light, and they had to cut off at some place. Now, does the gentleman believe that it ought to be the policy of Congress to determine where a gas lamp shall be located instead of leaving that to the commissioners after we determine how much money shall be expended for the purpose?

Mr. LOBECK. If they do not expend the money appropriated for the lighting fund any better than they do in other funds of this city, I want to say that it is no credit to the commissioners. They have plenty of money to light the city with.

Mr. FOSTER. Do I understand from the gentleman that there were lights on this particular street before?

Mr. LOBECK. Yes; for over 30 years.

Mr. FOSTER. And the commissioners removed the lights to some other street where, in their judgment, they were more necessary?

Mr. LOBECK. They removed them a block away, so it is said, to a new street, and then placed some lights on that street.

Mr. FOSTER. Does the gentleman from Nebraska think it is a good policy, when the general law covers these cases, that

Congress should be asked to pass a bill placing lights on certain streets?

Mr. LOBECK. Well, I do not know what you have a District of Columbia Committee for, if it has no jurisdiction—where the General Government pays part of the expense.

Mr. FOSTER. I gather from what my colleague from Illinois [Mr. MANN] has said that you have a law on the statute book placing this matter in the hands of the District Commissioners.

Mr. MANN. Nobody denies that. That is too patent for question.

Mr. FOSTER. Now, you want to pass a law saying that this particular street shall be lighted, notwithstanding the statement of the commissioners that it is not necessary.

Mr. LOBECK. If I thought the judgment of the commissioners was infallible, I would agree with the gentleman. But the people who have spent their money in improving this street and in building their homes along it are entitled to protection, and the Commissioners of the District have taken that protection away from them. A light is as good as a policeman.

Mr. SABATH. Mr. Speaker, will the gentleman yield to me?

Mr. LOBECK. Yes.

Mr. SABATH. I desire to inquire if there is any truth in the report that I hear to the effect that there is a tendency on the part of the commissioners to discriminate; that they do light certain sections of the city, namely, some special subdivisions owned by some real large property owners and discriminate against other sections of the city?

The SPEAKER. Is there objection?

Mr. SIMS. How are you going to correct abuses if the exercise of the discretion is lodged with the commissioners unless by an act of Congress?

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I understand the Piney Branch Road is a street that has been opened for 50 years or more, and has been lighted for many years?

Mr. LOBECK. Yes.

Mr. MADDEN. And there are other streets in that neighborhood that are being opened and paved and they are not lighted?

Mr. LOBECK. They are lighted.

Mr. MADDEN. I understand some of the streets connected with Piney Branch Road in this neighborhood are not lighted, and it is the intention of the commissioners to take the lights away from the Piney Branch Road and put them in some other place along that street?

Mr. LOBECK. That is my understanding.

Mr. MADDEN. There is no need for a bill to direct the commissioners to light the streets, is there?

Mr. LOBECK. They took the lights away, and the people want them replaced. They have been there for 30 years.

Mr. MADDEN. It ought not to be necessary to enact legislation for that.

Mr. LOBECK. The travel is greater on that street now than it was when it was laid out, and the lights should not have been removed. The commissioners have no right to destroy property to benefit others.

Mr. SIMS. Suppose the commissioners will not exercise their discretion?

Mr. MADDEN. There ought not to be any necessity for legislating in this way.

Mr. LOBECK. There is a church on that road, and many homes there.

Mr. SABATH. The charge is made that the District Commissioners in certain sections favor the large landowners.

Mr. MANN. Nobody who knows the facts believes that.

Mr. MADDEN. I do not believe we have the right to assume that the commissioners discriminate against anybody.

Mr. SABATH. Why, then, should they remove the lights from one street and put them on other streets?

Mr. MADDEN. I think the gentleman will find, if he asks why it was done, that it will not be necessary to have legislation. I object to the consideration of this bill.

The SPEAKER. The gentleman from Illinois objects.

Mr. SABATH. Is the gentleman opposed to allowing the people on that street to have their street lighted?

Mr. MADDEN. No; I do not object to that; but I object to the consideration of this bill.

The SPEAKER. Objection is heard, and the bill goes off the Calendar for Unanimous Consent.

TRANSFER OF CERTAIN LANDS TO SULPHUR SPRINGS, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11149) to authorize the Secretary of the Treasury to convey to the city of Sulphur Springs, Tex., certain lands for street purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, empowered and directed to deed to the city of Sulphur Springs, in the State of Texas, for street purposes and no other, a strip of land not exceeding 9 feet in width off both the east and south sides of the Federal building site in said city.

The SPEAKER. Is there objection?

Mr. MANN. Who is in charge of the bill?

Mr. STEPHENS of Texas. I have looked into the report, Mr. Speaker, and—

Mr. MANN. The report indicates in this case that there is reason for deeding to the city of Sulphur Springs a strip of land 9 feet in width on the east side of the building site and a strip of land not to exceed 6 feet 2 inches on the south side. Is the gentleman willing to have the bill corrected so as to make the description of the land correct, instead of saying "a strip of land not exceeding 9 feet in width on both the east and south sides," making it "a strip of land not to exceed 9 feet on the east side and a strip of land not to exceed 6 feet 2 inches on the south side"?

Mr. STEPHENS of Texas. It seems to me, in reading the report, that that was the object and intention when they drafted this bill. I have no objection to the gentleman's suggestion.

Mr. MANN. That correctly describes it and saves any difficulty.

Mr. STEPHENS of Texas. Let the gentleman offer an amendment.

Mr. FOSTER. This, as I understand, deeds to the city of Sulphur Springs, Tex., a strip of land 9 feet wide on two sides?

Mr. MANN. The amendment which I propose will cover a strip of land 9 feet wide on one side and 6 feet 2 inches wide on another side. They already have possession of the land under a license from the Government.

Mr. FOSTER. Is the street the same width all the way through?

Mr. AUSTIN. Certainly.

Mr. FOSTER. How does it come that this particular point is 9 feet narrower, where the Government building is located? Did they sell it to the Government and then ask the Government to give it back to them?

Mr. MANN. The sidewalk space was a part of the lot. They sold the lot to the Government, which included what was used for the sidewalk space on the street. That being the case, they found that the Government owned that sidewalk space, but the Government then gave a license to the city to use that space for a sidewalk. Now it is proposed to deed to the city what is used for the sidewalk. Evidently in laying out the land in some way the property used for sidewalk space was not dedicated as a part of the street.

Mr. STEPHENS of Texas. I think it is well guarded. It says that it shall be for street purposes and no other purpose.

Mr. MANN. While it says street purposes, it means a sidewalk. There is a sidewalk there now.

Mr. AUSTIN. It is recommended by the department.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. I offer an amendment.

The SPEAKER. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend, page 1, line 7, by striking out the word "both" in the beginning of the line, and the words "and south" in the same line, and strike out the letter "s" in the word "sides" in the same line, and at the end of line 8 add:

"And a strip of land not exceeding 6 feet and 2 inches in width off the south side of said building site."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. AUSTIN, a motion to reconsider the last vote was laid on the table.

FIFTH INTERNATIONAL CONGRESS OF CHAMBERS OF COMMERCE.

The next business on the Calendar for Unanimous Consent was House joint resolution 234, making provision for the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations.

The joint resolution was read, as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and requested to extend to the Governments of the commercial nations of the world an invitation to be represented officially at the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations, to be held in Boston, Mass., September 24 to 28, 1912.

That for the necessary expenses of the meeting in the United States of the International Congress of Chambers of Commerce and Commercial and Industrial Associations, including a tour by the foreign delegates of the principal commercial, industrial, agricultural, and social centers of the United States, for the purpose of acquainting them with our institutions and enterprises, \$50,000 be, and hereby is, appropriated.

That the Secretary of State is hereby requested to ask the Governments of the commercial nations of the world to notify the leading business organizations of their respective countries of this action by the Congress of the United States of America and suggest their co-operation.

The SPEAKER. Is there objection?

Mr. BARTLETT. Mr. Speaker, I reserve the right to object. I desire to inquire if this bill carries an appropriation.

The SPEAKER. Fifty thousand dollars.

Mr. BARTLETT. Then it is on the Union Calendar, Mr. Speaker?

The SPEAKER. Yes; it is on the Union Calendar.

Mr. PETERS. Mr. Speaker, if I am granted unanimous consent for the consideration of this bill, I propose then to ask unanimous consent to substitute for it Senate joint resolution 72, which has passed the Senate and is now on the Speaker's table. Senate resolution 72 provides for extending to the Governments of the commercial nations of the world an invitation to be officially represented at the Fifth International Congress of Chambers of Commerce, to be held at Boston September 24, to 28. Since the resolution has already passed the Senate, it will immediately go to the President on its passage by this House. This resolution does not call for an appropriation.

Mr. BARTLETT. Then I suggest to the gentleman that he ask to substitute the Senate resolution, and I will ask him if he does not think there ought to be an amendment to the Senate resolution providing that no expense shall be incurred hereafter by the United States. I am not willing to vote for a bill which carries an appropriation for this purpose, and I doubt very much whether we ought to pass a resolution inviting people from other countries to come here for any purpose on behalf of the United States without providing for the payment of the expenses for the entertainment of our guests. I am not in sympathy with the proposition at all.

Mr. PETERS. There is no appropriation intended or asked for.

Mr. BARTLETT. Mr. Speaker, I have been fortunate or unfortunate enough to remain here in this House nearly 18 years and I never saw one of these little innocent propositions come in to invite people to the United States to participate in any exposition or other entertainment that we proposed to have for them that did not eventually cost the United States Government a good deal of money; and I do not think we ought to engage in this kind of business—of extending an invitation to foreigners as a national thing or that the Government of the United States should invite people here to participate in what is given the character and nomenclature of a national undertaking and invite them as our guests here unless we do propose to treat them as our guests. I am not willing that we shall engage in the business of making a mere meeting of the chambers of commerce of the United States on a matter in which the United States takes no part as a Government a national matter.

Mr. MANN. Will the gentleman yield?

Mr. BARTLETT. Yes; I will.

Mr. MANN. As I understand, this meeting is to be held this summer or fall?

Mr. CURLEY. September 24 to 28.

Mr. MANN. So that it can not occur that at any subsequent session of Congress we shall be asked to provide any money to meet these expenses?

Mr. BARTLETT. To pay those already incurred.

Mr. MANN. There is no danger of that.

Mr. BARTLETT. I have heard on previous occasions the solemn promise on the floor of this House that no such appropriation would be asked for later and still the Government has later on paid for the expenses. Take the Buffalo Exposition and the Charleston Exposition. We were solemnly assured that Congress never would be asked to pay any money, and yet we did pay hundreds of thousands of dollars.

Mr. MANN. Those were expositions.

Mr. BARTLETT. They were local affairs.

Mr. MANN. I suggest that the assurance of the gentleman from Boston that they will not ask for any more money at this time is sufficient.

Mr. BARTLETT. At this or at any other time.

Mr. MANN. Or, as far they are concerned, at any time. That would bind them and would carry it beyond this session of Congress. Heretofore these propositions have bound the gentlemen who made the promises, but they have not bound their successors or other gentlemen who came into Congress. In this case these gentlemen from Boston, being bound at this session of Congress, we will have passed the critical point before the next session, and hence there is no danger.

Mr. CURLEY. If my colleague from Massachusetts asks that Senate resolution 72, which has already passed the Sen-

ate, be considered in lieu of this resolution now pending, and it is passed on favorably by the House, does not that dispose of the question of the appropriation of money?

Mr. MANN. I was assuming that that proposition was the one—that we extend the invitation but that there shall be no appropriation made by Congress in regard to it.

Mr. PETERS. I will make that assurance on behalf of the chambers of commerce, that no appropriation will be asked.

Mr. FITZGERALD. I do not question the sincerity of the gentleman, but I wish to add one observation. The State Department has declined to issue such invitations heretofore unless some money was appropriated to enable the department to perform certain services which it claims were necessary. That was the way in which the \$20,000 in two appropriations was obtained for the Congress on Hygiene and Demography, out of which was paid the compensation of \$5,000 a year for the secretary of the congress. I simply wish to add that if the State Department makes a request for any money for services in connection with this proposition I shall assume that it is bound by this statement, as well as everybody else.

Mr. PETERS. The gentleman may assume that, and that no appropriation will be asked for with my approval.

Mr. BARTLETT. If the gentleman from Massachusetts will allow me, what is the purpose of having the United States Government extend an invitation?

Mr. PETERS. Because it is an international event. The chambers of commerce abroad are semiofficial bodies. Their Governments extended invitations to our commercial bodies; it is essentially an international affair. They have some semi-official bodies which are cooperating to bring the delegations here. I hope the gentleman will not place any great embarrassment in the way of this legislation.

Mr. BARTLETT. Any earnest appeal by the gentleman from Massachusetts like that always meets a ready response from me, and I will not object if the gentleman will call up and pass the Senate joint resolution in lieu of the House joint resolution.

Mr. PETERS. I am about to make that request.

Mr. CANNON. Will the gentleman yield for a question?

Mr. PETERS. Certainly.

Mr. CANNON. What would the gentleman from Massachusetts think of an individual that invited another individual to bring his knitting across the sea and visit him and at the same time bring his lunch. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. PETERS. Mr. Speaker, I ask unanimous consent—

The SPEAKER. The Chair hears none.

Mr. FITZGERALD. But, Mr. Speaker, the gentleman from Massachusetts was about to ask unanimous consent that the Senate joint resolution be substituted for the House joint resolution.

The SPEAKER. The gentleman from Massachusetts was asking unanimous consent to consider the House joint resolution.

Mr. PETERS. I will put it in one request, to consider the House joint resolution and substitute the Senate joint resolution in lieu of that.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to consider the Senate joint resolution of like tenor instead of the House joint resolution. Is there objection? [After a pause.] The Chair hears none. The Senate joint resolution is on the Speaker's table, and the Clerk will report it.

The Clerk read the Senate joint resolution, as follows:

Senate joint resolution 72.

Resolved, etc., That the President of the United States be, and he is hereby, authorized and requested to extend to the Governments of the commercial nations of the world an invitation to be represented officially at the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations, to be held in Boston, Mass., September 24 to 28, 1912.

That the Secretary of State is hereby requested to ask the Governments of the commercial nations of the world to notify the leading business organizations of their respective countries of this action by the Congress of the United States of America and suggest their co-operation.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PETERS, a motion to reconsider the last vote was laid on the table.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the House joint resolution lie on the table.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the House joint resolution lie on the table. Is there objection.

There was no objection.

PATENTS TO SEMINOLE ALLOTTEES.

The next business on the Calendar for Unanimous Consent was the bill H. R. 23184, directing the Secretary of the Interior to deliver patents to Seminole allottees, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to forthwith deliver all patents or deeds to Seminole allottees covering their respective allotments: *Provided, however,* That the delivery of such patents or deeds shall not in any manner operate to validate any void or voidable titles or add to the weight of evidence required to avoid the same, or serve to remove restrictions that have not heretofore been removed by express act of Congress.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. DAVENPORT. Mr. Speaker, I do not know what the gentleman reserves the right to object for, because there can be no injury done to anyone by this bill.

Mr. MANN. I thought the gentleman was going to ask to have this go over.

Mr. DAVENPORT. I want to say to the gentleman from Illinois that while he reserves the right to object, I want to understand if there is anything in the bill that he bases his objections upon; anything that he might want to object to the consideration of the bill for? I do not know whether the House will pass it or not, but if there is any valid objection, if there is anything that is not shown in the report the gentleman wants explained, then I am willing to make the explanation.

Mr. MANN. There is no reason shown yet for the passage of the bill, either by the gentleman or in the report. It is a bill that affects the administrative department of the Government, and has not been referred to the department for information or otherwise. The gentleman can not expect to pass by unanimous consent a bill which reflects directly upon the administration of the Government, without giving the administrative officers any opportunity to explain, or give information concerning it.

Mr. DAVENPORT. That is the very thing the bill does not do. It does not reflect on the department.

Mr. MANN. I think it does.

Mr. DAVENPORT. The committee investigated this matter, went over that question, and knowing that there had been some question by the department as to whether they ought to deliver the deeds before a certain court decision was delivered, they did not report the bill until after the Supreme Court rendered the decision, and said that the question of withholding the patents in no way affected the allottees of the Five Civilized Tribes.

Mr. MANN. The other day the gentleman was supporting a proposition to cut off investigations by the Interior Department by which it might make these investigations. He now proposes to have a law directing the department to issue the patents without an investigation. Possibly we begin to see why they did not want to have the money with which to make the investigation—in order that they may have a plea that they must give patents without investigation.

Mr. DAVENPORT. Oh, the gentleman from Illinois is certainly mistaken, and he surely does not want to leave the impression on the House that I at any time or under any circumstances objected to the Interior Department ever investigating patents in any of the Five Civilized Tribes, and his statement that as to what he saw with reference to my desiring to have patents delivered without investigation, is unwarranted and without foundation. I did object to an appropriation to keep a certain number of agents in the Indian Territory where they are not needed, but that appropriation had nothing to do with this bill.

Mr. MANN. We told the gentleman at that time that this money was necessary to make this investigation. The gentleman was opposed to making the appropriation of the money, saying that it was not necessary. That was what the appropriation was asked for.

Mr. DAVENPORT. It was not.

Mr. MANN. I say it was, and the gentleman says it was not.

Mr. DAVENPORT. And it never has been used for that purpose.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

GRANTING CERTAIN LAND TO PORTLAND, OREG.

The next business on the Calendar for Unanimous Consent was the bill (S. 5910) granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to grant, relinquish, and convey, by quitclaim deed, to the city of Portland, Oreg., a strip of land approximately 10 feet in width off of the Seventh Street side of the new post-office site in said city of Portland, Oreg., and extending along said Seventh Street from Hoyt to Glisan Streets, being part of the east end of lots 8, 5, 4, and 1, in block 8; and he is further authorized and directed to grant, relinquish, and convey to said city of Portland, by quitclaim deed, a strip of land approximately 10 feet in width off of the Seventh Street side of the customhouse site, in said city, and extending along said Seventh Street from Davies to Everett Streets, the Secretary of the Treasury to reserve such portion of said strip for the use of the United States as he may consider necessary for areas, steps, approaches, etc., the said strips of land to be used for street purposes only.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I would like to know why the city of Portland does not pay for this land?

Mr. HAWLEY. Mr. Speaker, the city of Portland has found it necessary to open Seventh Street more extensively than ever before on account of the increased travel on the street. They are building a large bridge across the Willamette River at the foot of this street, and in order to make the street of uniform width they desired this additional strip of land. They submitted the question of reducing the width of the Government property there to the same width as the other Government property along that street to the Secretary of the Treasury, Mr. MacVeagh. The Secretary, under date of March 29, 1912, in a letter to the senior Senator from the State, said that—

the enactment of said bill into a law would not militate against the efficiency of the buildings in question.

Mr. FITZGERALD. Why should the city not pay the United States? When the United States bought the land it paid very liberally for it. If it wished to take the property of any private citizen there, it would have to pay very liberally for it. Why should not the Government insist upon being paid now? Why should the Government donate the land to the city?

Mr. HAWLEY. The improvement of the street at the expense of the city will make the property so much more accessible and valuable to the Government that we can readily do this and still be the gainers by the transaction.

Mr. FITZGERALD. It will not make it any more valuable to the Government, because if we ever abandon it for public purposes and seek to sell it we would sell it to some citizen in Portland for an insignificant amount—

Mr. MANN. Sell it! We would give it away.

Mr. FITZGERALD. Or give it to them.

Mr. HAWLEY. The improvement of the street makes the property much more accessible—

Mr. FITZGERALD. To the citizens of Portland, Oreg.

Mr. HAWLEY. And to the Government.

Mr. FITZGERALD. I inquire about it because a few years ago the city of New York desired a little strip of land in Staten Island upon which to build a road around the light-house depot there—

Mr. MANN. Oh, the gentleman ought not to refer to that, because I am thoroughly familiar with it.

Mr. FITZGERALD. It very greatly enhanced the value of the property, and the city was permitted to do so on paying to the Federal Government about \$33,000.

Mr. MANN. The city of Brooklyn—or one of the cities over there—desired to use a large amount of ground of great value to the Government for its exclusive benefit, and the Government gave it to the city for a song. The matter went through my committee.

Mr. FITZGERALD. The gentleman is mistaken. I am thoroughly familiar with it.

Mr. MANN. And so am I.

Mr. FITZGERALD. The road was around the Government lighthouse depot, and the city of New York paid the Government \$33,000 for the land upon which the road was constructed.

Mr. MANN. For the benefit of the city.

Mr. FITZGERALD. It was of benefit not only to the people of Staten Island but equally beneficial to the Government.

Mr. MANN. That road was exclusively for the benefit of the citizens there, and it was a detriment to the Government to have it there.

Mr. FITZGERALD. The gentleman is mistaken. This street here is exclusively for the benefit of the people of Portland, Oreg.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Oregon a question, if I may; also the gentleman from New York. We have been quite insistent upon having reports from departments upon bills of this kind reported from commit-

tees. The distinguished gentleman who presides over the Treasury Department, for whom I have very high regard, reports as follows, and this is all there is to his report:

I have the honor to inform you that if said bill is enacted into law this department will take the necessary steps to comply with the authority vested in it by said legislation.

Mr. FITZGERALD. Does not the gentleman from Illinois think that is a very great concession for an official who lives in Chicago to make to Congress? [Laughter.]

Mr. MANN. Yes; it probably looks that way to the gentleman from New York. Here is a bill directing the Secretary of the Treasury to do certain things, and when asked for a report upon the bill he says that he has the honor to inform us that if we direct him to do it he will comply with the direction. Of course he will comply with the direction. That is mandatory upon him, but what he ought to have done was to give the House some information concerning the bill.

Mr. MONDELL. He did.

Mr. MANN. He did not give a particle of information in his report upon the bill, not an iota of information. He wrote a letter to one of the Senators from Oregon that gave a little information, but precious little.

However, I shall not object to the bill if the gentleman will allow me to help correct a defect which occurred at the other end of the Capitol. I object to their grammar.

Mr. HAWLEY. With pleasure.

Mr. MANN. I notice that the bill provides for taking a strip of land 10 feet in width "off of" the Seventh Street side, and so forth. That is in the bill twice; "off of" some street. Now, it is sufficient to say "off the street," and I think that the House ought, in justice to its own dignity and standing, to correct this grammar.

Mr. HAWLEY. Will the gentleman offer the amendment he suggested?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to amend, in line 6, page 1, and in line 2, page 2, by striking out after the word "off" the word "of" in each case.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 6, strike out the word "of" after the word "off," and in line 2, page 2, strike out the word "of" after the word "off."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LAFFERTY, a motion to reconsider the vote by which the bill was passed was laid on the table.

PATENTING OF CERTAIN LANDS TO RURAL HIGH-SCHOOL DISTRICT NO. 1, NEZ PERCE COUNTY, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4791) authorizing the patenting of certain lands to rural high-school district No. 1, of Nez Perce County, Idaho.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to cause a patent to issue to rural high-school district No. 1, of Nez Perce County, Idaho, for the use and benefit of said district, for the following-described tract of land within said county, to wit: Commencing at the southeast corner of lot No. 27, on the north boundary of Fort Lapwai Military Reservation, in section 2, township 35 north, range 4 west, Boise meridian; thence south along the west line of the Presbyterian mission reserve 300 feet; thence south 85 degrees west 726 feet; thence north 300 feet to the north boundary of the Fort Lapwai Military Reservation; thence north 85 degrees east along said military reservation boundary 726 feet, to the place of beginning, containing 5 acres, more or less: *Provided*, That Indian pupils residing within said district shall at all times be admitted to such schools as may be established on the lands granted herein on terms of equality with the white pupils: *Provided further*, That in the event the proposed school building is not completed within two years after the title has passed to the rural high-school district No. 1, the land shall revert to the United States: *And provided further*, That in the event said lands are ever abandoned and not used for educational purposes all right, title, and interest therein conveyed to the said district by this act shall be forfeited and the same shall revert to the United States.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

GRANTING CERTAIN LANDS FOR RESERVOIR PURPOSES, TWIN FALLS, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 2530) granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to the authorities of the city of Twin Falls, in the State of Idaho, for reservoir purposes, in connection with the water supply of said town, for the following-described land, to wit: The south half northeast quarter and the northwest quarter southeast quarter section 6, township 12 south, range 18 east, Boise meridian, in the Halley, Idaho, land district, containing 120 acres, said patent to contain a provision that said land shall be used for reservoir purposes and in connection with the water supply for said city only; and in case said land shall cease to be used for such purposes it shall at once revert to the United States: *Provided*, That said city shall pay \$1.25 per acre therefor.

The SPEAKER. Is there objection?

Mr. CULLOP. Mr. Speaker, reserving the right to object, I would like to inquire what these lands are worth now on the market?

Mr. FRENCH. I presume that they have no value. They have been available for public entry for years. They lie many miles away from the nearest town, and, indeed, in a country that is covered with sagebrush, cactus, and juniper shrub. I regard them as really being worthless lands.

Mr. CULLOP. How far are they from any town?

Mr. FRENCH. About 18 miles from Twin Falls. There may be some small post office or hamlet nearer, but there is no considerable town nearer than Twin Falls.

Mr. CULLOP. It seems to me the price is inadequate for the land to be used for that purpose if it was anywhere near any settlement.

Mr. FRENCH. It would be, but I have no idea these lands are worth \$1.25 an acre.

Mr. CULLOP. How many acres are there?

Mr. FRENCH. One hundred and twenty acres.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. Mr. Speaker, this bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGES ACROSS TUG FORK OF BIG SANDY RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20593) to authorize the Norfolk & Western Railway Co. to construct sundry bridges across the Tug Fork of the Big Sandy River.

The Clerk read as follows:

Be it enacted, etc., That the Norfolk & Western Railway Co., a corporation organized under the laws of the State of Virginia, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate bridges and approaches thereto across the Tug Fork of Big Sandy River at such points where the same forms the boundary line between the States of West Virginia and Kentucky, or the boundary line between the States of West Virginia and Virginia, as may be selected by said company and approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Amend page 1, lines 10 and 11, by striking out the words "as may be selected by said company," and insert in lieu thereof the words "at points suitable to the interests of navigation."

Mr. COVINGTON. Mr. Speaker, I desire to correct the committee amendment by striking out, in line 1, page 2, of the bill, the words "at points," and insert in lieu thereof the words "as may be."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 1, strike out the words "at points" and insert in lieu thereof the words "as may be."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion by Mr. COVINGTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

DAM ACROSS CHOCTAWHATCHEE RIVER, DALE COUNTY, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22006) authorizing the Choctawhatchee River Light & Power Co. to erect a dam across the Choctawhatchee River in Dale County, Ala.

The Clerk read as follows:

Be it enacted, etc., That the Choctawhatchee River Light & Power Co., a corporation organized under the laws of the State of Alabama, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam across the Choctawhatchee River, at a point suitable to the interests of navigation, at a point about one-eighth of a mile below or west of the bridge across said river, on the road known as the Newton and Ozark Public Road, in Dale County, in the State of Alabama, in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906."

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CLAYTON. And, Mr. Speaker, in that connection I would like for the name to be pronounced correctly, "Choctawhatchee," and not "Chocta-whatchee." It is a beautiful and historic Indian name, and I object to its being murdered as it was done in the reading of the bill.

BRIDGE ACROSS DELAWARE RIVER SOUTH OF TRENTON, N. J.

The next business on the Calendar for Unanimous Consent was the bill (S. 5458) to extend the time for the completion of a bridge across the Delaware River south of Trenton, N. J., by the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. or their successors.

The Clerk read as follows:

Be it enacted, etc., That section 6 of the act approved March 16, 1906, authorizing the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. or their successors to construct, maintain, and operate a bridge across the Delaware River between a point south of and within 1 mile of the southern boundary line of the city of Trenton, in the State of New Jersey, and a point south of and within 1 mile of the southern boundary line of the borough of Morrisville, in the county of Bucks and State of Pennsylvania, be, and the same is hereby, so amended that the time within which the said bridge shall be required to be completed shall be within five years from the date of the approval of this act: *Provided*, That the said bridge shall be built and completed in accordance with such plans as the Secretary of War and Chief of Engineers may hereafter approve, and until such approval has been given no further work of construction shall be done by the said companies.

SEC. 2. That said act as thus amended be, and the same is hereby, revived and reenacted.

Mr. COVINGTON. Mr. Speaker, I understand there is an objection—

Mr. MANN. Mr. Speaker, I reserve the right to object—

Mr. WOOD of New Jersey. Mr. Speaker, I object.

Mr. COVINGTON. Mr. Speaker, I desire to make a request before objection is made, if it should be made. I understand, after reference to the chairman of the committee, that arrangement has been made by which there will be opportunity for the persons who are opposed to this measure to be heard, and I desire to ask whether it would not be entirely satisfactory to have the bill passed without prejudice for two weeks?

Mr. WOOD of New Jersey. Mr. Speaker, I prefer to have the bill stricken from the calendar.

The SPEAKER. Does the gentleman object?

Mr. WOOD of New Jersey. I do.

JAIL BUILDING AND FIXTURES ON ABANDONED FORT ASSINIBOINE MILITARY RESERVATION IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 5817) granting to the county of Hill, in the State of Montana, the jail building and fixtures now upon the abandoned Fort Assiniboiné Military Reservation, in the State of Montana.

The Clerk read the bill, as follows:

Be it enacted, etc., That the jail building and the fixtures of said building, now situate on the abandoned Fort Assiniboiné Military Reservation, in the State of Montana, be, and the same are hereby, granted to the county of Hill, in the State of Montana, and said county, by its duly authorized officials, shall have the right to enter upon the said abandoned Fort Assiniboiné Military Reservation at any time after the passage of this act and remove said buildings and such fixtures.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I was very much pleased a while ago on seeing a bill come in

here from the Committee on the Public Lands proposing to have a State pay something for some lands and buildings which the Government owns. Evidently that feeling did not reach as far as Montana.

Mr. PRAY. Mr. Speaker, I will state to the gentleman from Illinois that the jail on the abandoned Fort Assiniboiné Military Reservation is practically of no value as it stands—no commercial value. Hill County was created in February of this year. There is no jail there worth the name.

Mr. MANN. Well, if it is a good jail they had better buy it.

Mr. PRAY. Havre, the county seat, is 6 miles from the fort. It would be necessary to remove the building and fixtures that distance from the reservation.

Mr. MANN. We would sell it cheap.

Mr. PRAY. The county could not afford to pay anything for it if the officials were obliged to pay for the removal of the building and fixtures a distance of 6 miles.

Mr. MADDEN. Does this bill contemplate the removal of the present building to another site?

Mr. PRAY. Yes. It allows the commissioners of the county of Hill to enter upon the reservation and remove the brick building and fixtures.

Mr. MADDEN. I will say to the gentleman that it would cost more money to remove it than it is worth. I say that from experience.

Mr. PRAY. They are willing to take chances in that respect.

Mr. MANN. If the gentleman will permit me, here is a military reservation which has been abandoned. Thereupon the State asks to have the reservation, with the buildings, turned over to the State, without any expense to it, for certain school purposes, and the county asks to have one of the buildings turned over to it. Does not anybody ever think of old Uncle Sam?

Mr. PRAY. I will say to the gentleman from Illinois that I am not asking for the turning over to the State of Montana—

Mr. MANN. Not at this time—

Mr. PRAY. Of the buildings on the reservation. I know that there is a bill of that kind pending in a committee of the Senate, but it has not yet come over here. This building could properly be turned over to the county without affecting any educational institution that might be established there. An educational institution could hardly have any use for a jail.

Mr. MANN. In fact, when we grant land to a State for school purposes and it happens to be in a forest reservation, they avail of the right to exchange it, and then they sell the forest land for as high as \$10 an acre and make a profit out of the Government. Nobody ever attempts apparently, in relations between the States and the Federal Government, to protect the financial interests of the Federal Government. The States and counties think if the Government owns any land that it is not using they have the right to it. I do not. [Applause.]

Mr. PRAY. I will say to the gentleman that the Government will not lose anything by turning over the jail and fixtures to this county. It is of no use or value to the Government. There are many precedents for a measure of this kind. The gentleman knows that heretofore, on the admission of new States into the Union, Federal buildings have been turned over to the newly organized counties, and I see no reason why the same thing should not be done in this case.

Mr. MANN. I think the gentleman had better present a reasonable proposition.

Mr. PRAY. I hope the gentleman from Illinois will not object to this bill. The jail and fixtures are worth nothing where they are and could now be utilized by this new county. Even if the Government retains the jail it can get nothing out of it.

Mr. MANN. One thing is certain, and that is that the Government can not lose anything by our not passing the bill.

Mr. BUTLER. How long ago did the Government abandon this property?

Mr. PRAY. The fort was abandoned last November, and the buildings, so I am informed, are not very well taken care of. I can see no good reason why a little matter of this kind should not be allowed to pass. We have precedents for it. It has been done before a number of times.

Mr. MANN. There is full authority for the disposition of all of these lands under existing law, and I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects. The bill will be stricken from the calendar.

PATENTS TO ALLOTMENTS ON WHITE EARTH RESERVATION IN CERTAIN CASES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20739) providing for the issue of patents to allotments on White Earth Reservation in certain untested cases.

The Clerk read the bill, as follows:

Be it enacted, etc., That upon the expiration of 90 days from and after the passage of this act the Secretary of the Interior shall cause to be issued fee-simple patents in the name of the allottee for any land within the White Earth Reservation, in Mahanomen, Becker, or Clearwater Counties, in the State of Minnesota, upon presentation of the certificate of the register of deeds of the county where the land is situated showing that such land has been conveyed by deed, or encumbered by way of mortgage executed by the allottee prior to January 1, 1912, and in case of the death of the allottee by his heirs at law or legal representatives; and that no notice of his pendency on behalf of the United States, or the allottee, has been filed against such land, or, if filed, that it has been discharged, which certificate shall be brought down to a date at least 90 days subsequent to the passage of this act, and when issued the Secretary of the Interior shall transmit such patents to the register of deeds of the county where the land is situated by registered mail, which shall be deemed a delivery thereof.

With the following committee amendment:

That from and after the passage of this act the status of the lands heretofore or hereafter allotted to the Chippewa Indians on the White Earth Indian Reservation, in the State of Minnesota, as regards restrictions on alienation or incumbrance, shall be as follows: All lands of adult Indians enrolled upon the rolls herein provided for as mixed bloods having no more than one-half or less than one-half Indian blood shall be free from all restrictions. All other allotted lands shall be restricted and not subject to alienation, contract to sell, power of attorney, or other incumbrance by the allottee prior to July 1, 1933, except that Indians enrolled on said rolls as of more than half and not over three-quarters Indian blood who have allotments in area exceeding 80 acres may designate in writing, executed, witnessed, and acknowledged as a deed, 80 acres as a homestead, and file the same in duplicate with the Indian agent and the register of deeds of the proper county, and after such designation all restrictions as to alienation by the allottee shall be wholly removed as to the surplus lands over and above the 80 acres so designated. The Secretary of the Interior may remove such restrictions, wholly or in part, under such rules and regulations concerning terms of sale and disposal of the proceeds for the benefit of the respective Indians as he may prescribe. The Secretary of the Interior shall not be prohibited by this act from continuing to remove restrictions as heretofore, and nothing herein shall be construed to impose restrictions heretofore removed in cases where conveyances have heretofore been made.

SEC. 2. That within six months from the date of the passage of this act a complete roll of persons to whom allotments have heretofore been made, or may hereafter be made, on the White Earth Indian Reservation, in the State of Minnesota, shall be made under the direction of the Court of Claims. Such roll shall show the allotment number or numbers, the name, age, sex, and quantum of Indian blood of each allottee, and when completed and approved by said court shall be conclusive as to the facts therein shown in so far as such facts affect or determine the right or power of such allottees to hereafter alienate, convey, or otherwise dispose of their allotted or inherited lands on said reservation: *Provided*, That where an Indian is found to have less than one-half Indian blood the exact quantum of Indian blood need not be ascertained, but such Indian shall be enrolled under the heading "Less than one-half Indian blood." And for the purpose of carrying this section into effect the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. That upon the expiration of six months from and after the passage of this act the Secretary of the Interior shall cause to be issued fee-simple patents in the name of the allottee for any land within the White Earth Indian Reservation, in Mahanomen, Becker, or Clearwater Counties, in the State of Minnesota, upon presentation of the certificate of the register of deeds of the county where the land is situated, showing that such land, or any interest therein, has been conveyed by warranty deed or quitclaim deed, or encumbered by way of mortgage executed by the allottee prior to January 1, 1912, and in case of the death of the allottee by his heirs at law or legal representatives; and that no notice of his pendency on behalf of the United States or the allottee has been filed against such land, or if filed that it has been discharged, which certificate shall be brought down to a date at least six months subsequent to the passage of this act, and when issued the Secretary of the Interior shall transmit such patents to the register of deeds of the county where the land is situated by registered mail, which shall be deemed a delivery thereof.

SEC. 4. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The SPEAKER. Is there objection?

Mr. GRAHAM. Mr. Speaker, I reserve the right to object.

The SPEAKER. The gentleman from Illinois [Mr. GRAHAM] reserves the right to object.

Mr. STEENERS. Mr. Speaker, this is a bill introduced, I believe, by the gentleman from Minnesota [Mr. STEENERS], and he can explain the bill better than I can. I yield to him.

Mr. STEENERS. Mr. Speaker, as will be observed, the original bill was what is embraced in section 3 of the substitute.

Mr. GRAHAM. Will the gentleman yield for a question or two?

Mr. STEENERS. Yes.

Mr. GRAHAM. The bill now reported is really a substitute for a former bill?

Mr. STEENERS. A substitute reported from the Committee on Indian Affairs.

Mr. GRAHAM. Has the substitute been referred to the Interior Department for a report?

Mr. STEENERS. As I understand it, the substitute is the result of a letter written by the Assistant Secretary of the Interior, by direction of the President, requesting the repeal of the so-called Clapp amendment of 1906, removing restrictions

upon alienation by adult mixed-blood Indians on White Earth Reservation.

Mr. GRAHAM. Is there any report from the Secretary of the Interior on the substitute, or on the original bill, for that matter?

Mr. STEENERS. The only communication is a letter from Assistant Secretary Adams, requesting the repeal of the Clapp amendment, and this is a partial repeal. This repeals the Clapp amendment in part. The chairman of the Committee on Indian Affairs, the gentleman from Texas [Mr. STEPHENS], introduced a bill pursuant to a letter from Assistant Secretary of the Interior, Mr. Adams, requesting the repeal of the Clapp amendment. That was brought in before the committee. I understand the subcommittee—and I am not a member of the committee—deliberated whether they would repeal the Clapp amendment in whole or in part, and the result of their deliberation was that they have in this bill repealed it in part. They could not very well reimpose restrictions upon those who had been released. Of course it will be effective as to those who become of age hereafter.

Mr. GRAHAM. But no report of the Secretary of the Interior accompanied the bill or is referred to by the committee.

Mr. STEENERS. There could be no such report, when they were acting on the initiative of the Secretary of the Interior.

Mr. CARLIN. In view of the fact that the gentleman from Illinois [Mr. GRAHAM] is going to object, I demand the regular order.

The SPEAKER. Does the gentleman from Illinois object?

Mr. GRAHAM. I reserved the right to object, subject to the explanation of the gentleman from Minnesota [Mr. STEENERS]; but I would like to ask, further, if the repeal of the Clapp Act is contained in section 4 of the amended bill?

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. GRAHAM. I object.

The SPEAKER. The bill will be stricken from the Calendar for Unanimous Consent.

MANEUVER CAMP NEAR ANNISTON, ALA.

The next business on the Calendar for Unanimous Consent was House joint resolution 322, authorizing the Secretary of War to accept the title to 4,000 acres of land in the vicinity of Anniston, in the State of Alabama, which certain citizens have offered to donate to the United States for the purpose of establishing a maneuver camp and for the maneuvering of troops, establishing and maintaining camps of instruction, for rifle and artillery ranges, and for mobilization and assembling of troops from the group of States composed of Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, North Carolina, and South Carolina.

The joint resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object—

Mr. BLACKMON. Mr. Speaker, I ask unanimous consent that this resolution be passed without prejudice.

The SPEAKER. The gentleman from Alabama asks that this resolution be passed without prejudice. Is there objection?

There was no objection.

ZUNI NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2875) to provide for the exchange of national forest timber in New Mexico for private lands lying within the exterior limits of the Zuni National Forest.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture, for the purpose of increasing the area of the timberland included within the Zuni National Forest by the addition thereto of certain privately owned timberland lying within the exterior limits of the said national forest, be, and the same is hereby, authorized and empowered, in his discretion, in behalf of the United States, to enter and to consummate contracts for the exchange of timber on any national forest in New Mexico for privately owned timberlands embracing in the odd-numbered sections of township 11 north, range 12 west, New Mexico principal meridian, which are now within the exterior limits of the Zuni National Forest, New Mexico: *Provided*, That such exchange shall be made under the following conditions: The saw timber on such private lands shall be exchanged for the saw timber on such national forest lands, thousand feet for thousand feet; cordwood and posts from piñon and cedar on such private lands shall, after estimate and appraisal by forest officers, be exchanged for an equivalent value of national forest timber at an appraisal of not less than \$2.50 per thousand feet board measure; and the privately owned land at a valuation of not more than 62½ cents per acre shall be exchanged for an equivalent value of national forest timber at an appraisal of not less than \$2.50 per thousand feet board measure: *Provided further*, That the national forest timber to be so exchanged shall be cut under the rules and regulations promulgated by the Secretary of Agriculture for the cutting of timber on the national forests, and that the time within which such timber shall be removed shall be determined by the said Secretary of Agriculture: *And provided further*, That upon the consummation of

such exchange the land deeded to the United States thereunder shall forthwith become and thereafter continue to be national forest land to all intents and purposes as if such land had been duly withdrawn by the proclamation which placed the contiguous land under the jurisdiction of the Secretary of Agriculture for forest purposes.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this bill proposes to make an exchange of timber for timber and timberlands. It looks to me like a reasonable proposition. As I understand, the proposition is to exchange timber which the Government now has within the Pecos National Forest. The bill provides for the exchange of timber on any national forest in New Mexico. Would the gentleman be willing to agree to an amendment, on page 1, line 10, to strike out the words "on any" and insert the words "within the Pecos," so as to confine the matter of exchange to timber within the Pecos National Forest?

Mr. FERGUSON. Yes. I understand the object is to exchange the timber in the Pecos National Forest for timber and lands within the exterior limits of the Zuni National Forest. The land within the Zuni National Forest is railroad land, the Government having the alternate sections. The object of this bill from the Government standpoint is to permit the exchange of the timber on the Pecos National Forest for this railroad-owned land that has been bought by a private party, so that the Zuni National Forest may be consolidated. At both ends it is for the interest of the Government.

Mr. MANN. And, as I understand, for the further reason that the timber in both forests is ripe.

Mr. FERGUSON. Yes.

Mr. MANN. Unless it is cut now, it probably could not be sold advantageously for a good while to come.

Mr. FERGUSON. That is especially true of the Pecos Reserve, for this reason: It is away up in the mountains. The dead and fallen timber on the Pecos Reserve can be exchanged now for this land and timber on the Zuni Forest, because just north of the Pecos Forest is a private Mexican land grant which is owned by private parties, on which they have a mill now sawing ties. They have also a method of getting the ties out by floating them down the Rio Grande, at a good deal of expense. If that mill goes away before this exchange is consummated, then the Government will have great difficulty in getting rid of the dead and fallen timber, and, of course, in removing the danger from forest fires.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I move to amend, on page 1, line 10, by striking out the words "on any" and inserting the words "within the Pecos."

The SPEAKER. The question will first be taken on the committee amendments. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 9, strike out the words "enter and to consummate contracts for the."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 1, line 10, strike out the word "of" after the word "exchange."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 17, after the word "measure," insert the following: "Provided, That the Attorney General of the United States shall first pass upon the title of the privately owned land to be exchanged under the provisions of this bill."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 3, lines 1 and 2, strike out the words "upon the consummation of such exchange."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 3, line 3, strike out the word "thereunder" and insert the words "under the provisions of this act."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Strike out the language in lines 4 to 8, inclusive, reading as follows: "and thereafter continue to be national forest land to all intents and purposes as if such land had been duly withdrawn by the proclamation which placed the contiguous land under the jurisdiction of the Secretary of Agriculture for forest purposes," and insert in lieu thereof the words "a part of the Zuni National Forest."

The committee amendment was agreed to.

The SPEAKER. The Clerk will now report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Page 1, line 10, strike out the words "on any" and insert in lieu thereof the words "within the Pecos."

The amendment was agreed to.

The amended bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERGUSON, a motion to reconsider the last vote was laid on the table.

AMERICAN ACADEMY IN ROME.

The next business on the Calendar for Unanimous Consent was the bill (S. 125) to permit the American Academy in Rome to enlarge its purposes, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the American Academy in Rome incorporated by the act of Congress approved March 3, 1905, may by a resolution of its board of trustees enlarge its purposes so as to include the study and investigation of the archeology, literature, and history of the classical and later periods; and that the said corporation may take and hold real and personal property to an amount not exceeding \$3,000,000.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, I reserve the right to object.

Mr. SLAYDEN. Mr. Speaker, this bill proposes to amend the charter granted by Congress in March, 1905, to the American Academy in Rome, which is a corporation that has for its purpose the training of American students in the art of painting, sculpture, and architecture, as well as in the study of archeology.

Mr. MADDEN. Let me ask the gentleman, does this bill authorize the ownership of real estate in this country to the extent of \$3,000,000?

Mr. SLAYDEN. I must confess that I never read the charter granted in 1905. I dare say I was in the House and ought to be familiar with it, but I am not. Their office is in Washington, but the academy is in Rome. It had endowments given it shortly after the charter was granted amounting approximately to \$500,000. Then Mr. McKim, the New York architect, made them a considerable bequest, and other subscriptions were given them that brought it up to somewhat more than they were authorized to hold. Within the last few months a lady residing in Rome has willed to the academy her villa, estimated to be worth between \$200,000 and \$300,000. They can not receive it and hold it under the charter, because it will carry the value of their holdings above the legal limit.

Mr. MADDEN. This provision in the bill which authorizes them to acquire real estate to the value of \$3,000,000 is to enable them to take this title, is it?

Mr. SLAYDEN. Title to that property and other bequests that may be made. It is proposed by the friends of the late Frank Millet, whom many Members of the House knew as a great artist and a thoroughly high-class American citizen, to raise a fund of \$100,000 as a memorial to him. He lost his life, as Members may remember, on the *Titanic*. The income from these endowments is expended in the way of scholarships for American students, to support the poor young men while studying art in Rome. That is the sole purpose of the endowment. This institution can not accept what is to be given it unless the charter is amended in the way proposed.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RESIGNATION FROM THE JUDICIARY COMMITTEE.

The SPEAKER. The Chair desires to lay before the House a matter of routine business.

The Clerk read as follows:

WASHINGTON, D. C., June 3, 1912.

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby resign as a member of the Committee on the Judiciary.

Yours, very respectfully,

ROBERT L. HENRY.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LEAVE OF ABSENCE.

Mr. WICKLIFFE, by unanimous consent, was given leave of absence for 10 days, on account of important business.

SALE OF LAND IN FOREST GROVE, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18504) to provide for the sale of fractional

block No. 6, in the town of Forest Grove, Oreg., no longer needed for school purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell, under such rules and regulations as he may prescribe, and to convey by patent in fee simple to the purchaser the fractional block No. 6, as designated and numbered on the recorded plat of Naylor's addition to the town of Forest Grove, Oreg.: *Provided*, That N. R. Wells, who has been occupying the tract, be permitted to remove the improvements made thereon by him and his family prior to the date fixed for the sale hereunder, and that the proceeds of sale be used for the benefit of the Salem Indian School.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether the department has not now authority under existing law to sell the land?

Mr. HAWLEY. It has the authority to sell the land, but is not authorized to make the arrangement with Mr. Wells, which fair play seems to indicate.

Mr. MANN. What element of fair play is it which seems to indicate that where the Government owns a piece of property and a man deliberately moves a building upon it without any authority whatever the Government shall sell him the land in order to carry out a fair-play proposition?

Mr. HAWLEY. This land was originally purchased by the Government for the purpose of establishing and maintaining an Indian school.

Mr. MANN. And was used for that purpose.

Mr. HAWLEY. For one year. The school was then moved to Salem, Oreg. When they removed the school they had some buildings on the land, and in order to care for what property they had on the premises they requested Mr. Wells to act as caretaker and gave him authority to move this building on the land. He has remained there and cared for the buildings of the Government during that time. The Government having no use for the land, desires to sell it, and the city desires to have the land subject to taxation, and so this proposition is made. Since the Government allowed him to move the building upon the land he has cared for all of the property without compensation, and it seems to me he ought to have the privilege of removing the building, that is less than \$300 in value.

Mr. MANN. I do not find anywhere in the report that the Government permitted this man to move his building onto this land. My friend from Oregon says since the man has taken care of the lot for all these years, therefore we ought to do something for him. What is the fact? This was a vacant lot; it did not require or need to be taken care of. The man moved his house onto it, did not have to pay rent, did not pay taxes, did not pay anything, got the use of it for nothing, and then supposes that we ought to pay him for taking care of the lot which would have taken care of itself.

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Virginia demands the regular order. The regular order is, Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object. Is the gentleman from Virginia going to insist upon my declaring now whether I object or not?

Mr. CARLIN. Mr. Speaker, if the gentleman intends to object, I shall insist upon the regular order; if he does not intend to object, I shall let him go on as long as he desires.

Mr. MANN. I shall not declare my intentions until I know what the gentleman from Virginia is going to do.

Mr. CARLIN. Then, Mr. Speaker, I demand the regular order.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not a quorum present.

ADJOURNMENT.

Mr. HARDWICK. Mr. Speaker, I move that the House do now adjourn.

Mr. HAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Tuesday, June 4, 1912, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a communication from the Acting Secretary of Agriculture submitting an estimate of reappropriation for inclusion in the general deficiency bill (H. Doc. No. 783); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Department of Commerce and Labor, giving views on H. R. 21220, in response to inquiry of the chairman of the Committee on Immigration and Naturalization (H. Doc. No. 784); to the Committee on Immigration and Naturalization and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of the Interior for reappropriation in sundry civil bill for examinations into the water supply of San Francisco (H. Doc. No. 785); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of the Interior submitting an estimate of appropriation for the acquisition of lands for the enlargement of the Capitol grounds (H. Doc. No. 786); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce and Labor submitting estimate of appropriation to replace the lighthouse tender *Armeria* (H. Doc. No. 787); to the Committee on Appropriations and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Joseph Fornance, executor of the estate of James Fornance, deceased, *v. The United States* (H. Doc. No. 788); to the Committee on War Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Hamilton Trust Co., of Brooklyn, N. Y., executor of Loomis Lyman Langdon, deceased, *v. The United States* (H. Doc. No. 793); to the Committee on War Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Clifford H. Frost and Frank B. McAllister, trustees under the will of the estate of Zealous B. Tower, deceased, *v. The United States* (H. Doc. No. 790); to the Committee on War Claims and ordered to be printed.

9. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Martha R. Hitchcock, widow and executrix of Ethan Allen Hitchcock, deceased, *v. The United States* (H. Doc. No. 791); to the Committee on War Claims and ordered to be printed.

10. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Oliver D. Greene, administrator of the estate of Oliver D. Greene, deceased, *v. The United States* (H. Doc. No. 792); to the Committee on War Claims and ordered to be printed.

11. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the Union Trust Co., administrator of estate of Thomas Murray Tolman, deceased, *v. The United States* (H. Doc. No. 789); to the Committee on War Claims and ordered to be printed.

12. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Louis J. Garesché, administrator of J. P. Garesché, deceased, *v. The United States* (H. Doc. No. 794); to the Committee on War Claims and ordered to be printed.

13. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Frank H. Phipps *v. The United States* (H. Doc. No. 795); to the Committee on War Claims and ordered to be printed.

14. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James W. Scully *v. The United States* (H. Doc. No. 796); to the Committee on War Claims and ordered to be printed.

15. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Benjamin D. Critchlow *v. The United States* (H. Doc. No. 797); to the Committee on War Claims and ordered to be printed.

16. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George Lemuel Turner *v. The United States* (H. Doc. No. 799); to the Committee on War Claims and ordered to be printed.

17. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Maria T. Knox, administrator of George T. Balch, deceased, *v. The United States* (H. Doc. No. 798); to the Committee on War Claims and ordered to be printed.

18. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case

of J. Nelson Caldwell, administrator of the estate of J. N. Caldwell, deceased, *v. The United States* (H. Doc. No. 800); to the Committee on War Claims and ordered to be printed.

19. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Henry Catley *v. The United States* (H. Doc. No. 801); to the Committee on War Claims and ordered to be printed.

20. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George H. Chadeayne, ancillary executor of Joseph H. McArthur, deceased, *v. The United States* (H. Doc. No. 802); to the Committee on War Claims and ordered to be printed.

21. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Simon Lyon, administrator of the estate of John A. Campbell, deceased, *v. The United States* (H. Doc. No. 803); to the Committee on War Claims and ordered to be printed.

22. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John M. Wilson *v. The United States* (H. Doc. No. 804); to the Committee on War Claims and ordered to be printed.

23. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Isabella H. Silvey, widow of William Silvey, deceased, *v. The United States* (H. Doc. No. 805); to the Committee on War Claims and ordered to be printed.

24. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Lizzie F. Remington, executrix of Philip Halsey Remington, deceased, *v. The United States* (H. Doc. No. 806); to the Committee on War Claims and ordered to be printed.

25. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William L. Marshall *v. The United States* (H. Doc. No. 807); to the Committee on War Claims and ordered to be printed.

26. A letter from the Secretary of War, transmitting copy of House Document No. 1110, Sixty-first Congress, third session, regarding an abandoned cemetery in Bucks County, Pa., known as the China or White Hall Cemetery (H. Doc. No. 808); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4445) concerning unriggered vessels, reported the same with amendment, accompanied by a report (No. 823), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 6977) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 822), which said bill and report were referred to the Private Calendar.

Mr. HARRISON of New York, from the Committee on Ways and Means, to which was referred the bill (H. R. 20124) for the relief of E. Rosenwald & Bro., reported the same without amendment, accompanied by a report (No. 824), which said bill and report were referred to the Private Calendar.

Mr. WITHERSPOON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 14593) authorizing the President to reinstate Charles Lewis Clifford as a midshipman in the United States Naval Academy, reported the same without amendment, accompanied by a report (No. 825), which said bill and report were referred to the Private Calendar.

Mr. DICKINSON, from the Committee on Claims, to which was referred House bill 15207, reported in lieu thereof a resolution (H. Res. 567) referring to the Court of Claims the papers in the case of L. D. Hildebrand, administrator of the estate of John W. Hildebrand, accompanied by a report (No. 827), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 17123, reported in lieu thereof a resolution (H. Res.

568) referring to the Court of Claims the papers in the case of Fred Fox, jr., accompanied by a report (No. 828), which said resolution and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RUSSELL: A bill (H. R. 25065) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 25066) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 25067) providing for the sale of restricted surplus allotments of the Choctaw and Chickasaw Tribes of Indians in Oklahoma; to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 25068) providing for the sale of restricted surplus allotments of the Choctaw and Chickasaw Tribes of Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. FITZGERALD: A bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RUSSELL: A bill (H. R. 25070) for the acquisition of a site and the erection of a building thereon at Sikeston, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25071) for the acquisition of a site and the erection of a building thereon at West Plains, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. DENT: A bill (H. R. 25072) to establish a subport of entry and delivery at Montgomery, in the State of Alabama; to the Committee on Ways and Means.

By Mr. MCKINNEY: A bill (H. R. 25073) to authorize the construction of a bridge across the Mississippi River between Moline, Ill., and Bettendorf, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky: A bill (H. R. 25074) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same, and, further, to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto; to the Committee on the Library.

By Mr. COPLEY: A bill (H. R. 25075) making an appropriation for the improvement of Fox River, Ill.; to the Committee on Rivers and Harbors.

By Mr. ALEXANDER: A bill (H. R. 25076) to promote the safety of ocean navigation; to the Committee on the Merchant Marine and Fisheries.

By Mr. LLOYD: A bill (H. R. 25077) providing for the purchase of a site and the erection thereon of a public building at Unionville, in the State of Missouri; to the Committee on Public Buildings and Grounds.

By Mr. HAYES: A bill (H. R. 25078) for the protection of fraternities; to the Committee on the Judiciary.

By Mr. GUERNSEY: A bill (H. R. 25079) for the establishment of a national park and acquiring national forests in the Mount Katahdin region of the State of Maine; to the Committee on Agriculture.

By Mr. LINDBERGH: Resolution (H. Res. 564) providing for the appointment of a committee to investigate the personal conditions and the property rights of the Mississippi Chippewa Indians; to the Committee on Rules.

By Mr. BELL of Georgia: Resolution (H. Res. 565) to pay Charles L. Williams and Marshall Pickering, special messengers, \$1,200 per annum each; to the Committee on Accounts.

By Mr. AKIN of New York: Resolution (H. Res. 566) authorizing the appointment of a committee to investigate the conduct of the Assistant Attorney General of the Post Office Department in withholding mail matter of a Member of the House of Representatives; to the Committee on Rules.

By Mr. DICKINSON: Resolution (H. Res. 567) referring the bill (H. R. 15207) for the relief of L. D. Hildebrand, adminis-

trator of the estate of John W. Hildebrand, deceased, to the Court of Claims; to the Committee of the Whole House.

Also, resolution (H. Res. 568) referring the bill (H. R. 17123) for the relief of Fred Fox, Jr., to the Court of Claims; to the Committee of the Whole House.

By Mr. CULLOP: Joint resolution (H. J. Res. 324) proposing an amendment to the Constitution of the United States providing for the election of all public officers by the qualified electors of the several States and the respective districts thereof, other than the members of the President's Cabinet, ambassadors, ministers plenipotentiary, and consuls, and fixing their terms of office; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEWIS: A bill (H. R. 25064) for the relief of the vestry of St. Peter's Parish, in Montgomery County, Md., a corporation; to the Committee on War Claims.

By Mr. CARTER: A bill (H. R. 25080) granting an increase of pension to Ellie A. Hill; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 25081) granting a pension to Alberta W. K. Brown; to the Committee on Invalid Pensions.

By Mr. CURLEY: A bill (H. R. 25082) granting a pension to James Kelley; to the Committee on Invalid Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 25083) granting a pension to Oscar W. Davis; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 25084) granting a pension to Lurena A. White; to the Committee on Pensions.

By Mr. GRAY: A bill (H. R. 25085) granting an increase of pension to Thomas Clark; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 25086) granting a pension to Samuel F. Webb; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 25087) granting a pension to Frazier Ward; to the Committee on Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 25088) granting an increase of pension to Patrick F. Heenan; to the Committee on Pensions.

By Mr. McDERMOTT: A bill (H. R. 25089) granting a pension to Joseph Mulholland; to the Committee on Pensions.

Also, a bill (H. R. 25090) granting a pension to Edward A. Mueller; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 25091) granting an increase of pension to Thomas Campbell; to the Committee on Invalid Pensions.

By Mr. MALBY: A bill (H. R. 25092) granting a pension to Augustus B. P. Palmer; to the Committee on Pensions.

By Mr. NEELEY: A bill (H. R. 25093) granting an increase of pension to Anderson R. Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25094) to remove the charge of desertion from the record of William T. Adams; to the Committee on Military Affairs.

Also, a bill (H. R. 25095) authorizing the issuance of a patent to the NW. $\frac{1}{4}$ sec. 27, T. 17 S., R. 40 W., Dodge City (Kans.) land district, to George H. Lowrey; to the Committee on the Public Lands.

By Mr. PARRAN: A bill (H. R. 25096) granting a pension to Geneva Harrison Eakle; to the Committee on Pensions.

By Mr. PEPPER: A bill (H. R. 25097) granting a pension to Susan F. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25098) granting a pension to Albert S. Allen; to the Committee on Pensions.

By Mr. SPEER: A bill (H. R. 25099) granting a pension to Bell B. Orr; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 25100) granting an increase of pension to Thomas F. Gher; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 25101) granting an increase of pension to Albert Foraker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of S. & Stan Kostka, No. 440, Chicago, Ill.; St. Joseph Society, No. 25, Erie, Pa.; St. Stanislaus M. B., No. 244, Philadelphia, Pa.; Polish, Ruthenian, and Lithuanian American citizens, Scranton, Pa.; Workmen's Sick and Death Benefit Fund of the United States of America; Latt Albet Surajdy Society, No. 74, Manistee,

Mich.; and A. Hamsans Society, No. 21, Alpena, protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. BARTHOLDT: Petition of the American Association of Masters and Pilots, of St. Louis, favoring passage of House bill 23676; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Lodge No. 21, Firemen and Enginemen, of St. Louis, Mo., protesting against the workmen's compensation bill; to the Committee on the Judiciary.

Also, petition of 37 citizens of St. Louis, Mo., protesting against increase of postage on second-class mail; to the Committee on the Post Office and Post Roads.

By Mr. CALDER: Petition of the Daughters of Liberty, Brooklyn, N. Y., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Labor Council of Greater New York, N. Y., protesting against the passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Dr. M. Spiegel & Sons, Albany, N. Y., protesting against the passage of the Richardson drug bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce and the Nineteen hundred and twenty Club, Augusta, Ga., favoring investigation of the fire insurance companies; to the Committee on Interstate and Foreign Commerce.

Also, petition of Theodore Metzeler, New York, protesting against any change in the present patent laws that would affect price maintenance; to the Committee on Patents.

Also, petition of O. H. A. Milham, Brooklyn, N. Y., protesting against bill exempting labor unions from the Sherman anti-trust law; to the Committee on the Judiciary.

By Mr. COPLEY: Petition of citizens of the eleventh congressional district of Illinois, against passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the eleventh congressional district of Illinois, favoring Government regulation of express companies; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Joliet, State of Illinois, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. CURLEY: Resolutions of Boston Typographical Union, of Boston, Mass., against the lowering of the coinage unit; to the Committee on Banking and Currency.

Also, petition of the United States Civil Service Retirement Association, against passage of the five-year tenure of office clause in House bill 24023; to the Committee on Appropriations.

Also, resolutions of the Manila Merchants' Association, of Manila, P. I., favoring sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, resolution of Chicago citizens, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, resolutions of the Associated Charities of Boston, Mass., and the State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. DIFENDERFER: Petition of State Council of Pennsylvania, Order of Independent Americans, favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. DRAPER: Petition of State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Manila Merchants' Association, protesting against further sale of the Philippine friar lands; to the Committee on Insular Affairs.

By Mr. DANIEL A. DRISCOLL: Petition of Niagara Lodge, No. 148, and United States Grand Lodge, Order B'rith Abraham, Buffalo, N. Y., protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. DYER: Petition of American Exporter, of New York, favoring passage of House bill 20044, for the improvement of the foreign service; to the Committee on Foreign Affairs.

Also, petition of the Manila Merchants' Association, of Manila, P. I., against sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of the State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Medical Department of the Alumni Association of St. Louis University, favoring passage of the Owen bill (H. R. 11724); to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill for the relief of Patrick Burke; to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Manila Merchants' Association, protesting against sale of the Philippine friar lands; to the Committee on Insular Affairs.

By Mr. FULLER: Petition of the American Vigilance Association favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of members of Swedish Baptist Church, Rockford, Ill., favoring passage of the Kenyon-Sheppard Interstate Liquor bill; to the Committee on the Judiciary.

Also, petition of Jerome Romme, San Antonio, Tex., and Oscar Dunlap, South Bend, Wash., favoring passage of House bill 1339 for increase of pension to veterans who lost an arm or leg in the Civil War; to the Committee on Invalid Pensions.

Also petition of the Rockford Manufacturing and Shippers' Association, Rockford, Ill., favoring passage of Senate bill 6810, relating to bills of lading in commerce with foreign nations and among the several States; to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDFOGLE: Resolutions of First Bohorschaner Lodge, No. 463, and Eolvos Lodge, No. 4, Independent Order B'rith Abraham, of New York City, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, resolutions of the Los Angeles Chamber of Commerce, Los Angeles, Cal.; the New York State Chamber of Commerce; the board of trustees of the Toledo Chamber of Commerce, of Toledo, Ohio; and the Merchants' Exchange of St. Louis, Mo., favoring provision for mental examination of immigrants; to the Committee on Immigration and Naturalization.

Also, resolution of the National Lumber Manufacturers' Association, relative to control of floods in the Mississippi River and its tributaries and immediate relief; to the Committee on Rivers and Harbors.

Also, petition of the Retail Cutlery Association of New York and vicinity, against use of trading stamps and coupons; to the Committee on Ways and Means.

Also, petition of the Wisner Manufacturing Co., of New York City, N. Y., favoring lowering of letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Committee of Wholesale Grocers, of New York City, N. Y., favoring reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of John G. Klein & Co., of New York City, against passage of the Oldfield bill, proposing change in patent laws; to the Committee on Patents.

Also, petition of William Rahr Sons & Co., of Manitowoc, Wis., favoring passage of House bill 17222, relative to shipping unweaned calves; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Long Island Game Protective Association, of New York City, favoring passage of the McLean-Weeks bill (S. 6497) for Federal protection of migratory birds; to the Committee on Agriculture.

By Mr. GOULD: Petition of citizens of Bar Harbor, favoring passage of House bill 19133, creating a postal-express system; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: Petition of R. E. Butler, A. W. Sclewcler, and A. H. Nudgley, San Francisco, Cal., relative to the passage of the Stephens-Gould net-weight bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of Martha Washington Council, No. 2, and other members of Daughters of Liberty, San Francisco, Cal., and of the Immigration Restriction League, Boston, Mass., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Rosenblatt Co., San Francisco, Cal., protesting against passage of the Works bill relative to establishment of a license law for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the Waterhouse & Lester Co., San Francisco, Cal., protesting against any change in the patent laws that might affect price maintenance; to the Committee on Patents.

By Mr. KINKEAD of New Jersey: Petition of the Board of Trade of Newark, N. J., favoring continuance of the Efficiency

Commission in the administration of the Federal Government; to the Committee on Appropriations.

By Mr. LEVY: Petition of Joseph Isaacs, of New York City, against passage of bills proposing change in present patent law; to the Committee on Patents.

Also, petitions of the Prospect Heights Citizens' Association and the Manufacturers' Association, of Brooklyn, N. Y., favoring passage of the Page bill, known as the vocational education bill; to the Committee on Agriculture.

By Mr. LINDSAY: Petition of the American Exporter, New York, relative to the improvement of the United States Consular and Diplomatic Service; to the Committee on Foreign Affairs.

Also, petition of the Manila Merchants' Association, protesting against the sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. MALBY: Resolution of Joel Lodge, No. 118, Independent Order B'nai B'rith, of Plattsburg, N. Y., against passage of Senate bill 3175 and House bill 22517; to the Committee on Immigration and Naturalization.

By Mr. MCCOY: Petition of Brass Workers Local Union, No. 189, Newark, N. J., favoring the prohibiting of the use of the stop-watch system; to the Committee on Labor.

Also, petition of the United States Civil Service Retirement Association, Newark, N. J., favoring pensioning all Government employees who have served for 30 years or more; to the Committee on Reform in the Civil Service.

Also, petition of the National Jeweler's Board of Trade, New York, protesting against any legislation that would affect price maintenance; to the Committee on Patents.

Also, petition of New Jersey Lodge, No. 38, Independent Order B'rith Abraham, Newark, N. J., protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Brotherhood of Locomotive Engineers, Harrisburg, Pa., and General Putnam Council, No. 137, Junior Order United American Mechanics, favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Brotherhood of American Yeoman, Des Moines, Iowa, relative to the Dodds amendment to an appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Southern Sociological Congress, Nashville, Tenn., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MOTT: Resolutions of State Council of Pennsylvania, Order of Independent Americans, favoring passage of the Dillingham bill, restricting immigration; to the Committee on Immigration and Naturalization.

Also, resolutions of the Manila Merchants' Association, of Manila, P. I., favoring the sale of the friar lands; to the Committee on Insular Affairs.

Also, petition of the Hannibal (N. Y.) Board of Education, favoring passage of bill relative to agricultural school; to the Committee on Agriculture.

Also, resolutions of the United States Civil Service Association, against the five-year tenure of office for Government employees; to the Committee on Appropriations.

By Mr. PARRAN: Petition of 29 citizens, members of Patapsco Council, No. 58, Junior Order United American Mechanics, favoring passage of bills providing for restrictions of immigration and the illiteracy test; to the Committee on Immigration and Naturalization.

Also, petition of 23 citizens of Hughesville, Charles County, Md., members of the Society of Friends, against passage of the Warren bill, to promote rifle practice in the public schools of the United States; to the Committee on Military Affairs.

By Mr. REYBURN: Petition of State Council of Pennsylvania, Order Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. REILLY: Petition of State council of Pennsylvania, Order Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Petitions of Atlantic Council, No. 154, Junior Order United American Mechanics, Point Pleasant, N. J.; the Brotherhood of Locomotive Engineers at Harrisburg, Pa.; the Daughters of Liberty of Ridgefield, South Amboy, and Asbury Park, N. J.; and the Immigration Restriction League, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the National Civil Service Reform League, against section 5 of the legislative, executive, and judicial appropriation bill (H. R. 24023), against the five-year tenure of office; to the Committee on Appropriations.

Also, resolutions of the Richmond Chamber of Commerce, of Richmond, Va., and the New Jersey bankers, favoring sound banking and currency reform; to the Committee on Banking and Currency.

Also, petition of the Atlantic City Turnverein, of Atlantic City, N. J., against passage of interstate liquor bills; to the Committee on the Judiciary.

Also, petition of the American Mining Congress, favoring passage of House bill 17200, providing a new organic act for the Bureau of Mines; to the Committee on Mines and Mining.

Also, petition of the American Association of Foreign Language Newspapers, of New York, against passage of the Brown-Oldfield bills, proposing change in patent laws; to the Committee on Patents.

By Mr. SULZER: Petition of the Central Federated Union, New York, favoring increase of the scale of wages in the Government Printing Department; to the Committee on Appropriations.

Also, petition of the Advertising Men's League (Inc.) of New York City, favoring the printing of a national directory of commercial organizations of the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Stern-Katzenstein Co., New York, and A. L. Shakman, New York, N. Y., favoring passage of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Association of New York, relative to the Fifth International Congress of Chambers of Commerce; to the Committee on Foreign Affairs.

Also, petition of the Lackawanna Steel Co., New York, and the Labor Council of Greater New York, N. Y., protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. THISTLEWOOD: Petition of citizens of Coulterville, Ill., against passage of the Oldfield and Brown bill, proposing change in patent laws; to the Committee on Patents.

By Mr. TILSON: Petition of the Bridgeport (Conn.) Branch of the United States Civil Service Retirement Association, against the provision in House bill 24023; limiting the term of office in the civil service to five years; to the Committee on Appropriations.

Also, petition of the New Haven Chamber of Commerce, of New Haven, Conn., favoring passage of House bill 19227, to provide for the permanent exhibit of the resources of the States in the Union in or near Washington, D. C.; to the Committee on the Judiciary.

Also, petition of the New Haven Chamber of Commerce, New Haven, Conn., favoring continuance of the Director of Consular Service and the Division of Information; to the Committee on Expenditures in the State Department.

By Mr. WILSON of New York: Resolutions of the Manila Merchants' Association, of Manila, P. I., favoring passage of bill to dispose of Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Labor Council of Greater New York, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, June 4, 1912.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

O Lord, our heavenly Father, who by Thy holy word hast promised that Thou wilt in no wise leave us nor forsake us, and that Thou wilt be with us in the time of trouble, look with compassion upon us, we pray Thee, as we stand before Thee, with hearts pained and saddened. Our hearts are saddened by the loss of the Member of this Congress so suddenly called from the labors of earth; and we are sore pained for the Member of this body, our fellow-laborer, who this hour lies hovering between life and death. Be nigh unto him, we pray Thee, and comfort him with Thy presence. If it be Thy will, send forth Thy healing Spirit and restore him to life and strength, that again he may share the counsels and deliberations of the Senate.

And unto Thee, our Father, whose we are, living or dying, will we render praise now and for evermore. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

PENSION APPROPRIATION BILL.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 18985) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1913, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY conferees on the part of the Senate.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and conclusion and opinion filed by the court in the cause of B. L. Garber, administrator of the estate of James Rhodes, deceased, v. The United States (S. Doc. No. 758), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Alfred C. Cassell v. United States (Washington, D. C., Navy Yard) (S. Doc. No. 757); and

Hannah McCray, widow of John McCray, deceased, James H. Macon, sr., v. United States (Pensacola Navy Yard) (S. Doc. No. 756).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolution:

S. 125. An act to permit the American Academy in Rome to enlarge its purposes, and for other purposes;

S. 2530. An act granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes;

S. 4572. An act to designate Walhalla, Neche, and St. John, in the State of North Dakota, supports of entry, and to extend the privileges of the first section of the act of Congress approved June 10, 1880, to said supports;

S. 4791. An act authorizing the patenting of certain lands to rural high school district No. 1, of Nez Perce County, Idaho;

S. 6508. An act to exempt from cancellation certain desert-land entries in Chuckawalla Valley, Cal.;

S. 6614. An act to authorize the construction of a pontoon bridge across the Red River of the North between Pembina, N. Dak., and St. Vincent, Minn.; and

S. J. Res. 72. Joint resolution making provision for the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations.

The message also announced that the House had passed the following bills and joint resolution, each with an amendment, in which it requested the concurrence of the Senate:

S. 5428. An act to amend section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909;

S. 3815. An act to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910;

S. 6848. An act authorizing the Cooper River Corporation, a corporation organized under the laws of the State of South Carolina, to construct, maintain, and operate a bridge and approaches thereto across Goose Creek, in Berkeley County, S. C.; and

S. J. Res. 97. Joint resolution authorizing the Fifteenth International Congress on Hygiene and Demography to occupy temporary structures erected by the American Red Cross and to erect temporary structures in Potomac Park, Washington, D. C.

The message further announced that the House had passed the bill (S. 5910) granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate.